



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***December 17, 2001
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend Dr. James W. Austin, Senior Pastor, First Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, December 20, 2001, at 7:00 p.m., and Saturday, December 22, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

A Resolution paying tribute to R. Matthew Kennell upon his resignation as President of Downtown Roanoke Inc., effective December 21, 2001, and expressing to him the appreciation of this City and its people for his exemplary service.

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Proclamation declaring Saturday, December 8, 2001, as Roanoke Allstars - 1951 Santa Claus Bowl Reunion Day.

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3. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meeting of Council held on Thursday, October 18, 2001, recessed until October 19, 2001.

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RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from the Honorable Ralph K. Smith, Mayor, requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

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RECOMMENDED ACTION: Concur in request.

- C-3 A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss a personnel matter, specifically to conduct an interview for an appointment to the Industrial Development Authority of the City of Roanoke, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

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RECOMMENDED ACTION: Concur in request.

- C-4 A communication from Council Member C. Nelson Harris, Chair, Roanoke City Council Personnel Committee, requesting that Council meet in Closed Session to discuss appointment of a new Director of Finance, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

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RECOMMENDED ACTION: Concur in request.

- C-5 Minutes of the Roanoke City Council Audit Committee meeting held on December 3, 2001.

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RECOMMENDED ACTION: Receive and file.

- C-6 Minutes of the Greater Roanoke Transit Company Audit Committee meeting held on December 3, 2001.

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RECOMMENDED ACTION: Receive and file

- C-7 A communication from the Director of Finance tendering his resignation as a Commissioner of the Hotel Roanoke Conference Center Commission, effective January 31, 2002.

P. 79

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

- C-8 A communication from the City Clerk advising of the resignation of Eugene Wirt, Jr., as a member of the Roanoke Public Library Board, effective immediately.

P. 80

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

- C-9 A communication from Gilbert E. Butler, Jr., Secretary, Roanoke City Electoral Board, transmitting an Abstract of Votes cast in the General Election held in the City of Roanoke on November 6, 2001.

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RECOMMENDED ACTION: Receive and file.

C-10 Qualification of the following persons:

Charles W. Hancock, Jr., as a member of the Roanoke Neighborhood Partnership Steering Committee for a term ending November 30, 2002; and

Philip H. Lemon as a member of the Board of Zoning Appeals to fill the unexpired term of J. Clayton Grogan, resigned, ending December 31, 2003.

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. Request of Blue Ridge Behavioral Healthcare to present information on services provided to Roanoke City residents during fiscal year 2001. William L. Lee, Chair.
- b. Request of Downtown Roanoke, Inc., to present its Annual Report. Don J. Harrison, Chair.
- c. Request to present certain concerns of residents of Lincoln Terrace. Dr. E. Jeanette D. Manns, President, Washington Park Neighborhood Alliance.
- d. A communication from Council Member William D. Bestpitch, Council Liaison, Roanoke Neighborhood Partnership Steering Committee, with regard to a review of the design, role and responsibilities of the Neighborhood Partnership Steering Committee.

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6. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS:

1. Citizen Survey briefing. (20 minutes)

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2. Fire/EMS ISO Rating Change briefing. (20 minutes)

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ITEMS RECOMMENDED FOR ACTION:

3. A communication with regard to the Fire-EMS Strategic Plan.

P. 114; R. 117

4. A communication recommending reauthorization of the Emergency Operations Plan for the City of Roanoke.

P. 118; P. 121

5. A communication recommending acceptance of a grant award from the Virginia Department of Social Services under the Temporary Assistance for Needy Families Hard-to-Serve project for fiscal years 2001 and 2002, in the amount of \$473,411.00; and appropriation of funds in connection therewith.

P. 122; B/O 124; R. 125

6. A communication recommending acceptance of the donation of property identified as Official Tax No. 3070318, in connection with the Stadium/Amphitheater facility, from Calvin W. and Mary C. Powers and Theodore J. and Judy P. Sutton.

P. 126; O. 127

7. A communication recommending acceptance of the bid submitted by Tennant Sales and Service Co., for procurement of a street sweeper for the Streets and Traffic Division, in the amount of \$109,750.00; and appropriation and transfer of funds in connection therewith.

P. 128; R. 131

b. CITY ATTORNEY:

1. A report with regard to a public assembly ordinance.

P. 132; O. 134

7. REPORTS OF COMMITTEES:

- a. A report of the City Planning Commission recommending naming a new park in the Washington Park neighborhood on Shadeland Avenue, N. W., the Brown-Robertson Park. D. Kent Chrisman, Chair, City Planning Commission.
- b. A communication from the Roanoke City School Board requesting appropriation of funds to certain school accounts; and a report of the Director of Finance recommending that Council concur in the request.

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P. 147; B/O 148; R. 151; R. 152
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8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

11. CITY MANAGER COMMENTS:

12. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

CERTIFICATION OF CLOSED SESSION.

THE MEETING OF COUNCIL WILL BE DECLARED IN RECESS TO BE RECONVENED AT 5:30 P.M., IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., FOR A JOINT MEETING OF ROANOKE CITY COUNCIL AND THE ROANOKE CITY SCHOOL BOARD.

THE ROANOKE CITY COUNCIL MEETING WILL RECONVENE AT 7:00 P.M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W.



***ROANOKE CITY COUNCIL
ROANOKE CITY SCHOOL BOARD***

***December 17, 2001
5:30 P.M.***

***EMERGENCY OPERATIONS CENTER
CONFERENCE ROOM***

AGENDA FOR THE COUNCIL

- 1. Call to Order: City Council
 School Board**
- 2. Roll Call: School Board**
- 3. The Invocation will be delivered by Council Member
William D. Bestpitch.**
- 4. Discussion with regard to future funding needs for
Roanoke City Schools/Budget Protocol.**
- 5. Comments by City Council/School Board.**

6. Other Business:

7. City Council: **Recess until 7:00 p.m., in the City
Council Chamber.**

School Board: **Adjourn.**



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***December 17, 2001
7:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

Call to Order -- Roll Call.

The Invocation will be delivered by Council Member C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

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PRESENTATIONS AND ACKNOWLEDGMENTS:

Recognition of citizens.

A. PUBLIC HEARINGS:

1. Public hearing on the request of Vaughn & Jamison, LLC, to rezone three tracts of land located at the intersection of Route 419 and Keagy Road, S. W., identified as Official Tax Nos. 5130119, 5130121 and 5130122 containing 1.117 acre and 2.948 acres, from RS-1, Residential Single-Family District, to CN, Neighborhood Commercial District, and RPUD, Residential Planned Unit Development District, subject to certain conditions proffered by the petitioner. Maryellen F. Goodlatte, Attorney, Spokesperson.
2. Public hearing on a proposed amendment of Section 36.1-25, Definitions, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to amend the definition of tow truck operation to facilitate in the proper classification and location of such uses and to assist in code enforcement activities pertaining to such uses. D. Kent Chrisman, Chair, City Planning Commission. (The City Planning Commission has requested that the matter be referred back to the Planning Commission for further consideration.)
3. Public hearing on a proposal of the City of Roanoke to convey City-owned property identified as Official Tax No. 2760603, commonly known as 4037 Vermont Avenue, N. W., on which a drainage ditch is constructed to protect adjacent properties from stormwater runoff and retaining appropriate easements or rights-of-way to maintain the drainage ditch, to the adjacent property owner, Paul L. Honaker, thereby relieving the City of Roanoke of the cost of maintaining the property and returning same to the tax base. Darlene L. Burcham, City Manager.
4. Public hearing on a proposal of the City of Roanoke to lease a portion of City-owned property located at Victory Stadium to Carilion Medical Center, to provide up to a maximum of 300 parking spaces. Darlene L. Burcham, City Manager.

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O. 164

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P. 168;
O. 172

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O. 182

B. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION paying tribute to R. Matthew Kennell upon his resignation as president of Downtown Roanoke, Inc., effective December 21, 2001, and expressing to him the appreciation of this City and its people for his exemplary service.

WHEREAS, Mr. Kennell has served as president of Downtown Roanoke, Inc. since May 1994; and

WHEREAS, under Mr. Kennell's leadership, Roanoke City Farmer's Market (managed by Downtown Roanoke, Inc.) was named as one of the 63 best places in the United States; and

WHEREAS, during his tenure as president, Downtown Roanoke, Inc., completed and implemented the majority of recommendations in the Outlook Roanoke Master Plan, including the revitalization of abandoned railroad properties adjacent to the Hotel Roanoke and Conference Center; and

WHEREAS, Mr. Kennell helped to form a partnership between the Roanoke Foundation for Downtown and the Roanoke Redevelopment and Housing Authority, which led to the creation of 87 market-rate apartments in the former GOB South Building; and

WHEREAS, Mr. Kennell's leadership encouraged the growth of downtown residential development from 15 units in 1994 to 150 in 2002; and

WHEREAS, Mr. Kennell helped to organize the Destination Education initiative, which led to the concept and funding of the Roanoke Higher Education Center; and

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WHEREAS, Mr. Kennell co-chaired the Roanoke Renaissance effort to revitalize Roanoke's inner city neighborhoods; and

WHEREAS, Mr. Kennell reorganized Roanoke Foundation for Downtown, Inc., from a Mounted Patrol support group to a real estate entity, which took ownership and transferred properties for redevelopment including the Higher Education Center, Eight Jefferson Place apartments, the Gainsboro Parking Garage, and the Roanoke Passenger Station; and

WHEREAS, Mr. Kennell co-founded the Roanoke Regional Coalition for Economic Development, which now includes the Roanoke Regional Chamber, the Salem-Roanoke County Chamber, the Roanoke Valley-Allegheny Regional Commission, the Roanoke Valley Economic Development Partnership, and the Roanoke Valley Convention and Visitors Bureau; and

WHEREAS, under Mr. Kennell's leadership, Dickens of a Christmas has been named one of the top 20 events in the Southeast for the past four years in a row.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. Council adopts this means of recognizing and commending the years of service rendered to the city of Roanoke and its people as president of Downtown Roanoke, Inc., by R. Matthew Kennell.

2. The City Clerk is directed to transmit an attested copy of this resolution to R. Matthew Kennell.

ATTEST:

City Clerk

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Proclamation

2.b.

WHEREAS, on December 28, 1951, twenty-eight young men participated in the Santa Claus Bowl at Lakeland, Florida, and brought honor to their families and national fame to the Roanoke area when they won the National Sand-Lot Football Championship; and

WHEREAS, the Roanoke "All-Stars" captured the national crown by defeating the New Orleans team in the semi-finals, 13-0, and then took a close decision from the Omaha, Nebraska team in a tie score game, 13-13; and

WHEREAS, not only did the Star City boys distinguish themselves by winning the national championship, but their good sportsmanship and that of their coaches and sponsors earned them a second place rating in the character scoreboard which included respect for authority, will to compete, bench conduct, player conduct, fan conduct, perfection, physical fitness and appearance; and

WHEREAS, in addition to distinguishing themselves on the gridiron, the Roanoke boys showed their superiority in the special essay contest on various traits of character; and

WHEREAS, the Roanoke champions received a jubilant ovation from relatives, friends and City officials at the Roanoke passenger station upon their return; and

WHEREAS, the Roanoke Allstars - 1951 National Midget Football Santa Claus Champions, will host its 50th Reunion on Saturday, December 8, 2001, at the Hidden Valley Country Club.

NOW, THEREFORE, I, Ralph K. Smith, Mayor of the City of Roanoke, Virginia, in honor of the national recognition, victory, outstanding performance and good conduct of team players and the time, effort and encouragement by coaches, sponsors and families of the sand-lot football participants, do hereby proclaim Saturday, December 8, 2001, throughout this great All-America City, as

ROANOKE ALLSTARS - 1951 SANTA CLAUS BOWL REUNION DAY.

Given under our hands and the Seal of the City of Roanoke this eighth day of December in the year two thousand and one.

ATTEST:

Mary F. Parker
Mary F. Parker
City Clerk



Ralph K. Smith
Mayor

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

October 18, 2001

2:00 p.m.

The Council of the City of Roanoke met in regular session on Thursday, October 18, 2001, at 2:00 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, William D. Bestpitch, William H. Carder, C. Nelson Harris, and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend Carl T. Tinsley, Pastor, First Baptist Church, Buena Vista, Virginia.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

COUNCIL-CITY CODE: Mr. Carder offered the following emergency ordinance amending and reordaining Rule 7, Order of Business; hearing of citizens and Rule 8, Petitions; communications, and applications, of § 2-15 Rules of procedure, Code of the City of Roanoke (1979) as amended; and adding a new Rule 8 A, Hearing of Citizens on Public Matters to § 2-15:

(#35602-101801) AN ORDINANCE amending and reordaining Rule 7, Order of business; hearing of citizens, and Rule 8, Petition, communications and applications, of § 2-15, Rule of procedure, of the Code of the City of Roanoke(1979), as amended, and adding a new Rule 8A, Hearing of citizens on public matters, to §2-15, and providing for an emergency.

(For full text of Ordinance see Ordinance Book No. 65, page 188.)

Mr. Carder moved the adoption of Ordinance No. 35602-101801. The motion was seconded by Mr. Harris.

The Mayor advised that the majority of Council believes that the above referenced ordinance will streamline the agenda process and address the request of citizens to engage in dialogue with Council Members. He explained that communication with citizens and requests by citizens to speak will be heard at the end of the Council meeting at which point RVTV coverage of the Council meeting will be concluded.

Ordinance No. 35602-101801 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith7.

NAYS: None.....0.

PROCLAMATIONS: The Mayor presented a proclamation declaring the month of October, 2001, as National Arts and Humanities Month in the City of Roanoke.

COUNCIL-ACTS OF ACKNOWLEDGEMENT-INDUSTRIES: The Mayor advised that Roanoke Citizen, and the City of Roanoke's Quarterly Magazine, is the recipient of the National "3CMA" (City / County Communications and Marketing Association) Silver Circle Award for Best Newsletter. On behalf of the Members of Council, he commended the City Manager and the City's Public Information Officer for their accomplishments on the City's behalf.

ACTS OF ACKNOWLEDGEMENT-COUNCIL-DECEASED PERSONS: Mr. Carder offered the following resolution memorializing the late Mary C. Pickett, former Member of Roanoke City Council:

(#35604-101801) A RESOLUTION memorializing the late Mary Chisholm Pickett, a resident of the Roanoke Valley since 1934.

(For full text of Resolution, see Resolution Book No. 65, page 192.)

Mr. Carder moved the adoption of Resolution No. 35604-101801. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith.....7.

NAYS: None.....0.

ACTS OF ACKNOWLEDGEMENT: Mr. Carder offered the following resolution paying tribute to Allstate Insurance Company for 50 years of service in the Roanoke Valley:

(#35603-101801) A RESOLUTION paying tribute to Allstate Insurance Company for 50 years of service in the Roanoke Valley.

(For full text of Resolution, see Resolution Book No. 65, page 191.)

Mr. Carder moved the adoption of Resolution No. 35603-101801. The motion was seconded by Ms. Wyatt and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith-----7.

NAYS: None-----0.

The Mayor presented a ceremonial copy of the resolution to Gerard F. McDermott, Support Center Vice President, Allstate Insurance Company, and a Mill Mountain Star paper weight.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. The Mayor advised that there were three requests for Closed Session, one request having been withdrawn by the City Manager.

MINUTES: Minutes of the special and regular meetings of Council held on Tuesday, September 4, 2001, and the special and regular meetings held on Monday, September 17, 2001, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

Mr. Bestpitch moved that the reading of the Minutes be dispensed with and that the Minutes be approved as recorded. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

COMMITTEES-COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Bestpitch moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

COMMITTEES-COUNCIL-ARCHITECTURAL REVIEW BOARD: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss personnel matters, specifically interviews for appointments to the Architectural Review Board, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Bestpitch moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss personnel matters, specifically interviews for appointments to the Architectural Review Board, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

PURCHASE/SALE OF PROPERTY-COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Bestpitch moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

PURCHASE/SALE OF PROPERTY-COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Bestpitch moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

MUNICIPAL AUDITOR-COMMITTEES-AUDIT COMMITTEE: Minutes of a meeting of the Audit Committee which was held on Monday, October 1, 2001, were before the body.

The following items were considered by the Audit Committee:

FINANCIAL RELATED AUDITS:

- Meter Replacement
- Police Department Cash Funds
- Audit Findings Follow-Up
- Municipal Auditing 2002 Audit Plan
- Briefing on Management Assistance Work
- City Market Building
- Warehouse Closing
- D.A.R.E. Account

Mr. Bestpitch moved that the Minutes be received and filed. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

BUILDINGS/BUILDING DEPARTMENT-HOUSING/AUTHORITY-ROANOKE CIVIC CENTER-OATHS OF OFFICE-COMMITTEES: The following reports of qualification were before Council:

Edward S. Colonna as a member of the New Construction Code, Board of Appeals, for a term ending September 30, 2006;

Ben J. Fink as a Commissioner of the City of Roanoke Redevelopment and Housing Authority for a term ending August 31, 2005; and

Robert C. Poole as a member of the Roanoke Civic Center Commission for a term ending September 30, 2004.

Mr. Bestpitch moved that the reports of qualification be received and filed. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

REGULAR AGENDA

HEARING OF CITIZENS UPON PUBLIC MATTERS:

ROANOKE REGIONAL CHAMBER OF COMMERCE-EMERGENCY SERVICES: Beth Doughty, President, Roanoke Regional Chamber of Commerce, expressed support of and commendation for cooperative public safety efforts underway between the City of Roanoke and the County of Roanoke. She stated that never has it been more important to recognize that safety and responsive service are the foundations of fire and emergency medical services, and through regional cooperation, Roanoke City and Roanoke County are ensuring that the legacy of commitment to safety and responsiveness remains.

Without objection by Council, the Mayor advised that the remarks of Ms. Doughty would be received and filed.

PETITIONS AND COMMUNICATIONS:

BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting appropriation of the following funds, was before Council:

\$8,480.00 for the Title I School Improvement program to provide funds for Preston Park Primary, Westside Elementary, Roanoke Academy for Mathematics and Science, and Lincoln Terrace.

\$391,049.00 from the Capital Maintenance and Equipment Replacement Fund to provide funds for instructional technology equipment, facility maintenance equipment, physical education equipment, handicap access, middle and high school improvements, and food service vehicle replacement.

A report of the Director of Finance recommending that Council concur in the request of the School Board, was also before the body.

Mr. Hudson offered the following emergency budget ordinance:

(#35605-101801) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 School and School Food Services Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 193.)

Mr. Hudson moved the adoption of Ordinance No. 35605-101801. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

BONDS/BOND ISSUES-SCHOOLS: A communication from the Roanoke City School Board advising that the School Board at its October 9 meeting approved a resolution to request Council to issue General Obligation Qualified Zone Academy Bonds (QZAB), in an aggregate principal amount not to exceed \$1,100,000.00, which funds will be used to rehabilitate, repair, and/or equip Lincoln Terrace Elementary School, was before Council

It was further advised that QZAB initiative is a Federal program that allows lending institutions and schools to form a mutually beneficial partnership to support education; the program offers bonds, interest-free, and allows a bank or other lending institution to purchase the special no-interest bond on behalf of a school; and schools qualify based on their percentage of free lunch students.

Mr. Harris offered the following resolution:

(#35606-101801) A RESOLUTION (i) authorizing the School Board for the City of Roanoke to rehabilitate the present school building at Lincoln Terrace Elementary School; (ii) authorizing and directing the City Manager to file an application with the Virginia Department of Education seeking an allocation of authority to issue the City's general obligation qualified zone academy bonds in an amount not to exceed \$1,100,000 to finance certain renovations to Lincoln Terrace Elementary School, and (iii) authorizing and directing publication of a notice of public hearing to be held in connection with the proposed bond issuance.

(For full text of Resolution, see Resolution Book No. 65, page 195.)

Mr. Harris moved the adoption of Resolution No. 35606-101801. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith-----7.

NAYS: None-----0.

TAXES: A petition from the Boys and Girls Clubs of Roanoke Valley, Inc., requesting exemption from taxation of real property located at 1719 9th Street, S. E., in the City of Roanoke, pursuant to Section 30-19.04(B), Code of Virginia (1950), as amended, was before Council.

Following discussion, Mr. Carder moved that the matter be referred to the City Manager for study, report and recommendation to Council, and to schedule a public hearing. The motion was seconded by Mr Hudson and unanimously adopted.

Mr. White reiterated previous requests that City staff review the status of 501 (C)(3) non-profit corporations, provide Council with a review of current properties on the City's tax roles versus tax exempt properties, and submit a recommendation for consideration by Council.

The Mayor spoke to the feasibility of the City making a contribution to such organizations in lieu of supporting tax exempt status.

ELECTIONS-REGISTRAR: A communication from the General Registrar advising that due to the "National Emergency", it has become necessary to move Jefferson No. 2 Precinct, located at the National Guard Armory, to the Roanoke City Schools Maintenance Building; Section 24.2-306 prohibits moving a polling place 60 days prior to an election without prior approval of the Justice Department; however, since time constraints cannot be met, it is necessary to handle the temporary polling place change as an emergency; and pursuant to Section 24.2-310D, in the event of an emergency situation, the Electoral Board is required to find a new location with prior approval of the State Board of Elections, was before Council.

Mr. Harris offered the following emergency ordinance:

(#35607-101801) AN ORDINANCE temporarily changing the polling place for Jefferson Precinct No. 2 from the National Guard Armory Building on Reserve Avenue, S. W., to the Roanoke City Schools Maintenance Building, at 250 Reserve Avenue, S. W.; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page197.)

Mr. Harris moved the adoption of Ordinance No. 35607-101801. The motion was seconded by Mr. Carder.

Question was raised in regard to parking accommodations; whereupon, the City Registrar advised that parking has been addressed along with other ADA issues, and school employee parking is available adjacent to the building which will be reserved for voters. She stated that a space will be designated for disabled parking, along with appropriate signage directing voters to the school maintenance building.

Ordinance No. 35607-101801 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: None.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-HOUSING/AUTHORITY: The City Manager submitted a communication advising that as part of its ongoing efforts to improve public housing at the Lincoln Terrace Development, the Roanoke Redevelopment and Housing Authority applied for and has been awarded a \$15.1 million HOPE VI Revitalization Grant from the U. S. Department of Housing and Urban Development ("HUD"); in support of the Housing Authority HOPE VI application, the City committed to provide up to \$3 million in financial assistance from Federal and local funding sources for (1) infrastructure costs (\$2.1 million) of the Lincoln 2000/HOPE VI Project and (2) housing rehabilitation and construction funding (\$900,000.00) in the Washington Park neighborhood (the \$900,000.00 for housing assistance is being handled through separate agreements with the Housing Authority); infrastructure funding to be provided by the City will support improvements in public rights-of-way and publicly dedicated easements, including but not limited to, construction and reconstruction of streets, curbs, gutters and sidewalks and water and sewer utilities; pursuant to Ordinance 35262-040201 and Resolution No. 35263-040201, Council authorized execution of the original agreement dated July 1, 2000, providing \$600,000.00 from Federal and local funding sources; and Amendment No. 1 extended the agreement period from September 30, 2001 to December 30, 2001.

It was further advised that the City will provide the Housing Authority with a total of \$2.1 million for infrastructure improvements in three yearly installments, with the \$750,000.00 covered by this letter being the second installment; funds for the second installment have been identified in General Fund and Community Development Block Grant ("CDBG") program funds and from Retained Earnings in the Water Fund and Sewer Fund; and specific amounts and sources are as follows:

<u>Source</u>	<u>Account Name</u>	<u>Amount</u>
CDBG	Infrastructure	\$265,000.00
General Fund	Street Paving	\$100,000.00
Sewer Fund	Retained Earnings	\$336,000.00
Water Fund	Retained Earnings	\$ 49,000.00

The City Manager recommended that Council authorize the following actions:

Execution of Amendment No. 2 to the 2000 - 01 CDBG Agreement with the Housing Authority, approved as to form by the City Attorney;

Appropriation of funds in the amount of \$336,000.00 from Sewer Fund Retained Earnings and \$49,000.00 from Water Fund Retained Earnings to accounts in each respective fund entitled, "Lincoln 2000/HOPE VI Infrastructure", CDBG funds having been previously appropriated to the proper account; and

Transfer \$100,000.00 from Street Paving, Account No. 001-530-4120-2010, to Transfer to Capital Projects Fund, Account No. 001-250-9310-9508, and appropriate said funds in the Capital Projects Fund, Account No. 008-410-9626-9003.

Mr. White offered the following emergency budget ordinance:

(#35608-101801) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General, Water, Sewage Treatment, and Capital Projects Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 198.)

Mr. White moved the adoption of Ordinance No. 35608-101801. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following resolution:

(#35609-101801) A RESOLUTION authorizing the appropriate City officials to execute Amendment No. 2 to the 2000-2001 Agreement with the City of Roanoke Redevelopment and Housing Authority, providing funding for infrastructure improvements associated with the Lincoln 2000/HOPE VI Community Revitalization Program Project, upon certain terms and conditions, and describing the scope of services in greater detail.

(For full text of Resolution, see Resolution Book No. 65, page 201.)

Mr. Carder moved the adoption of Resolution No. 35609-101801. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member White was out of the Council Chamber.)

POLICE DEPARTMENT-BUDGET-GRANTS: The City Manager submitted a communication advising that in 1991, the Virginia General Assembly passed State legislation allowing local law enforcement to seize and take possession of forfeited property connected with illegal narcotics distribution; the law also makes it possible for Police Departments to receive proceeds from forfeited properties; application for an equitable share of property seized by local law enforcement must be made to the Department of Criminal Justice Services, Forfeited Asset Sharing Program, and certified by the Chief of Police; property, including funds shared with State and local agencies may be used only for Law Enforcement purposes; program requirements include that funds be placed in an interest bearing account and that interest earned be used in accordance with program guidelines; revenues collected for the grant are recorded in Grant Fund Account Nos. 035-035-1234-7133 and 035-035-1234-7270; and monies received in excess of estimated funding total \$75,211.00.

The City Manager recommended that Council appropriate \$75,211.00 to certain Grant Fund accounts to be established by the Director of Finance, and establish revenue estimates of \$75,211.00.

Mr. Hudson offered the following emergency budget ordinance:

(#35610-101801) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 201.)

Mr. Hudson moved the adoption of Ordinance No. 35610-101801. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member White was out of the Council Chamber.)

BUDGET-PARKS AND RECREATION: The City Manager submitted a communication with regard to a project that consists of improvements to seven City park softball/baseball fields (Huff Lane Park – Fields 1 and 2, Strauss Park, Westside Ballfield – Field 1, Garden City Park, Norwich Park, Jackson Park and Preston Park). She advised that after proper advertisement, one bid was received from Breakell, Inc., in the amount of \$313,749.00 for the base bids; and bid were received for the following five additive bid items, with items 1, 2 and 4, in the amount of \$48,582.00, to be included in the project:

Additive Bid Item No. 1: Provide Baseball/Softball Field #2 at Preston Park in the amount of \$29,318.00.

Additive Bid Item No. 2: Provide concrete stairs for field access at Preston Park in the amount of \$5,591.00.

Additive Bid Item No. 4: Provide an irrigation system for new Ballfield #2 at Huff Lane Park in the amount of \$13,673.00.

It was noted that funding is available in Baseball/Softball Field Improvements, Account No. 008-620-9737, in the amount of \$255,000.00; the project will require additional funding, in the amount of \$142,000.00, from Baseball/Softball Lighting Account No. 008-620-9736-9001; total funding required for the project is \$397,000.00; and additional funding in excess of the contract amount will be used for miscellaneous project expenses, including advertising, printing, testing services, minor variations in bid quantities and unforeseen project expenses.

The City Manager recommended that Council accept the bid and that she be authorized to execute a contract with Breakell, Inc., in amount of \$362,331.00 (consisting of \$313,749.00 for the Base Bid, \$29,318.00 for Additive Bid Item No. 1, \$5,591.00 for Additive Bid Item No. 2, and \$13,673.00 for Additive Bid Item No. 4), with 190 consecutive calendar days of contract time; and transfer \$142,000.00 from Baseball/Softball Lighting, Account No. 008-620-9736-9001, to Baseball/Softball Field Improvements, Account No. 008-620-9737-9001.

Mr. Hudson offered the following emergency budget ordinance:

(#35611-101801) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 203.)

Mr. Hudson moved the adoption of Ordinance No. 35611-101801. The motion was seconded by Mr. White and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder abstained from voting due to a conflict of interest in connection with a business relationship with Breakell, Inc.)

Mr. Harris offered the following emergency ordinance:

(#35612-101801) AN ORDINANCE accepting the bid of Breakell, Inc., for improvements to City softball/baseball fields, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 204.)

Mr. Harris moved the adoption of Ordinance No. 35612-101801. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder abstained from voting due to a conflict of interest in connection with a business relationship with Breakell, Inc.)

BUDGET-FIFTH DISTRICT EMPLOYMENT AND TRAINING CONSORTIUM: The City Manager submitted a communication advising that the Fifth District Employment and Training Consortium (FDETC) administers the Federally funded Workforce Investment Act (WIA) for the region, which encompasses the Counties of Alleghany, Botetourt, Craig, Franklin and Roanoke, as well as the Cities of Covington, Roanoke, and Salem; and WIA funding is intended for two primary client populations: dislocated workers who have been laid off from employment through no fault of their own, and economically disadvantaged individuals as determined by household income guidelines established by the U.S. Department of Labor.

It was further advised that the City of Roanoke is the grant recipient and fiscal agent for Consortium funding, thus, Council must appropriate funding for all grants and other monies received by the Consortium.

It was explained that the state office of the Virginia Employment Commission (VEC) has sent the Consortium Notice of Obligation for carry over Job Training Partnership Act (JTPA) funds for Program Year 1999, for WIA programs; carry over funds converted to WIA on July 1, 2000, will be subject to requirements of the WIA; funds have been held by the state office of the VEC until the Department of Labor approved the final JTPA close out; and the following funds must be expended prior to June 30, 2002.

Adult Programs	\$ 29,299.00
Youth Programs	43,927.00
Dislocated Worker Programs	<u>59,398.00</u>
Total	<u>\$ 132,624.00</u>

The City Manager recommended that Council appropriate Consortium funding totaling \$132,624.00 and increase the revenue estimate by \$132,624.00 in accounts to be established by the Director of Finance.

Mr. Hudson offered the following emergency budget ordinance:

(#35613-101801) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Consortium Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 205.)

Mr. Hudson moved the adoption of Ordinance No. 35613-101801. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

GENERAL SERVICES-PUBLIC WORKS-UTILITY LINE SERVICES-EQUIPMENT:

The City Manager submitted a communication advising that bids were requested for rental uniform service for designated City employees in the Departments of Public Works, General Services and Utilities; three bids were received and evaluated in a consistent manner based on required specifications; and the lowest bid meeting bid specifications was submitted by Aramark Uniform & Career Apparel, Inc., at a cost of \$4.68 per employee per week, or an estimated yearly cost of \$119,080.88.

The City Manager recommended that Council authorize issuance of purchase order(s) to Aramark Uniform & Career Apparel, Inc., for the rental of employee uniforms for a period of one year, with the option to renew for four additional one year periods, and reject all other bids received by the City.

Mr. Carder offered the following resolution:

(#35614-101801) A RESOLUTION accepting the bid of Aramark Uniform & Career Apparel, Inc. for rental uniform service for designated employees of the City upon certain terms and conditions, and rejecting all other bids made to the City.

(For full text of Resolution, see Resolution Book No. 65, page 206.)

Mr. Carder moved the adoption of Resolution No. 35614-101801. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

PAY PLAN-CITY EMPLOYEES: The City Manager having submitted a communication with regard to special military leave pay, she requested that the matter be tabled until the next regular meeting of Council on Monday, November 5, 2001, at 2:00 p.m., in order to respond to a question raised by a Member of Council.

Mr. Harris moved that the matter be tabled until the next regular meeting of Council on Monday, November 5, 2001, at 2:00 p.m. The motion was seconded by Mr. Bestpitch and unanimously adopted.

CITY CODE-SPECIAL PERMITS-FEE COMPENDIUM: The City Manager submitted a communication advising that on-street parking within many areas of the City is shared between surrounding residential and commercial properties; due to high parking demands and limited parking supply, some areas experience difficulties maintaining an adequate availability of on-street parking; residents within these areas are often times unable to park within a reasonable distance of their home and the infiltration of commercial (office, retail and special event) parking into these residential areas can adversely affect the character of the neighborhood; neighborhoods most frequently affected include Gainsboro, Beechwood Gardens, Old Southwest and certain neighborhoods in Raleigh Court; traditional parking regulations currently contained in the City Code are limited in their ability to adequately address these situations; development and support of mixed use village centers is a goal within the City's recently adopted Comprehensive Plan; therefore, the need to adequately address parking in mixed use areas is a current and future problem that must be addressed.

It was further advised that other cities in Virginia (Charlottesville, Richmond, Blacksburg and others) have implemented the use of a special permit parking to better manage such issues; permits are used to make certain exceptions for local residents when establishing on-street parking restrictions; it is important to note that this is a resident initiated program and has been reviewed by the Steering Committee of the Roanoke Neighborhood Partnership; and those who wish to have such parking restrictions will petition the City and neighborhood input will be sought before designations are made.

It was explained that based on the review of other permit parking programs within the state and consideration of the conditions within Roanoke, City staff has prepared a recommended City Code amendment to establish a residential parking

permit provision which would allow the City Manager to establish permit parking areas within the City; prior to such designation, on behalf of the City Manager, the Roanoke Neighborhood Partnership will coordinate the scheduling and advertising of at least one community meeting designed to ensure that individuals, neighborhood groups and businesses, especially those in affected areas, are aware of the proposal and have the opportunity to provide feedback and recommendations on the issue; the permit parking regulations would exempt valid permit holders from the parking restriction or prohibition as posted (for example, the restriction could state two hour parking except by permit); an adult citizen residing in a household that fronts the affected area may obtain permits for the household; such permits would include two visitor passes and a permit for each vehicle registered at the address (not to exceed a maximum of four annual permits); proposed fee for parking permits is \$5.00 annually per household and replacement permits are \$1.00; and establishment of the Residential Parking Permit Program should improve the City's ability to better manage parking in difficult situations.

The City Manager recommended that Council authorize amendment of the City Code by the addition of Section 2, Residential Parking Permits, to Article IV, Stopping, Standing and Parking, of Chapter 20, Motor Vehicles and Traffic, to establish a Residential Parking Permit Program; and amend the City's Fee Compendium to provide for permit fees.

Mr. Harris offered the following emergency ordinance:

(#35615-101801) AN ORDINANCE amending the Code of the City of Roanoke (1979), as amended, by adding a new Division 2, Residential Parking Permits, to Article IV, Stopping, Standing and Parking, Chapter 20, Motor Vehicles and Traffic, to establish a procedure for creation of a residential parking permit system, amending the City's fee compendium to establish certain fees for permits; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 207.)

Mr. Harris moved the adoption of Ordinance No. 35615-101801. The motion was seconded by Mr. Carder.

Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., complimented the City on establishing the residential parking program which has been under discussion for a number of years; however, she advised that that portion of the administrative procedures identified as Residential Permit Parking Draft Administrative Procedures. "Parking Study," is somewhat cumbersome and unusually harsh and should receive further study by city staff.

Ordinance No. 34615-101801 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

REPORTS OF COMMITTEES: None.

UNFINISHED BUSINESS: None.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

COMMITTEES-INDUSTRIES: Mr. Carder offered the following resolution reappointing William L. Bova as a Director of the Industrial Development Authority for a term ending October 20, 2005:

(#35616-101801) A RESOLUTION reappointing a Director of the Industrial Development Authority of the City of Roanoke, to fill a four (4) year term on the Board of Directors.

(For full text of Resolution, see Resolution Book No. 65, page 212.)

Mr. Carder moved the adoption of Resolution No. 35611-101801. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was out of the Council Chamber.)

COMMITTEES-INDUSTRIES: Mr. Harris offered the following resolution reappointing S. Deborah Oyler as a Director of the Industrial Development Authority for a term ending October 20, 2005:

(#35617-101801) A RESOLUTION reappointing a Director of the Industrial Development Authority of the City of Roanoke, to fill a four (4) year term on the Board of Directors.

(For full text of Resolution, see Resolution Book No. 65, page 212.)

Mr. Harris moved the adoption of Resolution No. 35617-101801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was out of the Council Chamber)

CITY EMPLOYEES-MUNICIPAL AUDITOR: Mr. White offered the following resolution appointing Troy A. Harmon as Municipal Auditor for the City of Roanoke, effective October 18, 2001, for a term ending September 30, 2002:

(#35618-101801) A RESOLUTION electing and appointing Troy A. Harmon as Municipal Auditor for the City of Roanoke, and ratifying the terms and conditions of employment as Municipal Auditor offered to Mr. Harmon.

(For full text of Resolution, see Resolution Book No. 65, page 213.)

Mr. White moved the adoption of Resolution No. 35618-101801. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was out of the Council Chamber.)

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

COUNCIL: Council Member White commended his fellow Council members on their participation in a Planning Retreat which was held on October 3, 2001, at Apple Ridge Farm and encouraged Council to continue to engage in similar work sessions/retreats.

FIRST CITIES COALITION: Vice-Mayor Carder referred to a meeting of the first Cities Coalition which was held during the Annual conference of the Virginia Municipal League on October 14 - 16, 2001. He advised that the Coalition is composed of 14 cities that face similar problems in terms of State funding inequities, and noted that meetings of the Coalition will be scheduled in the near future.

REMARKS BY THE CITY MANAGER: None.

OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard; and matters requiring referral to the City Manager will be referred, without objection by Council, for response, report and recommendation to Council.

ANIMALS/ INSECTS-COMPLAINTS: Mrs. Joseph Lawson, 3151 West Ridge Road, S. W., addressed Council with regard to the over population of deer within the limits of the City of Roanoke, causing damage to private property. She advised that she lives in a high traffic area of the City, there are safety issues for the deer as well as for motorists, and requested that the City take measures to alleviate the deer over population.

Mr. Harris stated that the City has complied data on the deer population and associated problems and requested that Council be provided with written information, along with procedures used by other urban areas to address deer over population. He added that the matter is of increasing concern because the deer population is not being controlled by the hunting season.

Mr. Harris moved that the matter be referred to the City Manager for report to Council, including information regarding the City's deer population, action taken by other urban jurisdictions to control the deer population; and recommendations on proposed actions to be taken by the City. The motion was seconded by Mr. Hudson and adopted.

The City Manager advised that the matter will be discussed at Council's Work Session scheduled for Monday, October 29, 2001, at 12:15 p.m., in the Emergency Operations Center Conference Room, Room 159.

COMPLAINTS-TRAFFIC: Ms. Amy Cosner, 4004 High Acres Road, N. W., addressed Council with regard to anti-abortionist protestors who frequent Peters Creek Road, N. W., on a daily basis. She advised that the protestors walk on both sides of Peters Creek Road with their children and signage, disrupting traffic and disrupting motorists, all of which represent a safety hazard to the protestors, motorists and innocent children. She stated that such protesting is a form of terrorism and hatred which she personally finds offensive and inquired if the protestor have obtained an assembly permit from the City.

Without objection by Council, the Mayor advised that the remarks of Ms. Cosner would be referred to the City Manager.

Ms. Wyatt expressed concern with regard to safety issues, especially those relating to children; whereupon, she requested that the City Attorney address the matter.

The City Attorney called attention to a provision in the City Code which requires permits for various types of public assemblies; however, the provision is inadequate and outdated and previous City Managers have directed that the Police Department not enforce the provision. He stated that for some time, a committee has been working on the draft of a more practical ordinance, numerous drafts have been prepared to date, and it is difficult to formulate an ordinance that is not overly restrictive, yet achieves the needs of the City to insure the safety of its citizens. He explained that a generic type of ordinance is being prepared in an effort to isolate those things that the City has a legitimate need to regulate.

At 3:50 p.m., the Mayor declared the meeting in recess for three closed sessions.

At 4:55 p.m., the meeting reconvened in the Council Chamber, with all Members of the Council in attendance, Mayor Smith presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Bestpitch moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

COMMITTEES-OATHS OF OFFICE -ROANOKE NEIGHBORHOOD PARTNERSHIP: The Mayor advised that the terms of office of Paula L. Prince, James Armstrong, Charles W. Hancock, Stark H. Jones, George M. Mcmillan, Richard J. Nichols, Henry Scholz, Fredrick M. (Rick) Williams, Barbara N. Duerk and S. Elaina Loritts as members of the Roanoke Neighborhood Partnership Steering Committee will expire on November 30, 2001, and called for nominations to fill the vacancies.

Mr. Harris placed in nomination the names of Ms. Prince, Mr. Armstrong, Mr. Hancock, Mr. Jones, Mr. McMillian, Mr. Nichols, Mr. Scholoz, and Mr. Williams.

There being no further nominations, Ms. Prince, Mr. Armstrong, Mr. Jones, Mr. McMillan, Mr. Nichols, Mr. Scholz, and Mr. Williams were reappointed for terms ending November 30, 2004; and Mr. Hancock was reappointed for a term ending November 30, 2002, as members of the Roanoke Neighborhood Partnership Steering Committee, by the following vote:

FOR MS. PRINCE, MR. ARMSTRONG, MR. HANCOCK, MR. JONES, MR. MCMILLAN, MR. NICHOLS, MR. SCHOLZ, AND MR. WILLIAMS: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith-----7.

COMMITTEES- HUMAN RESOURCES-OATHS OF OFFICE: The Mayor advised that the term of office of Courtney Penn as a member of the Advisory Board of Human Development will expire on November 30, 2001, and called for nominations to fill the vacancy.

Mr. Harris placed in nomination the name of Courtney Penn.

There being no further nominations, Mr. Penn was reappointed as a member of the Advisory Board of Human Development for a term ending November 30, 2005, by the following vote:

FOR MR. PENN: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith-----7.

COMMITTEES-HUMAN SERVICES COMMITTEE: The Mayor advised that there is a vacancy on the Human Services Committee created by the resignation of Katherine M. McCain and called for nominations to fill the vacancy.

Mr. Harris placed in nomination the name of Judy Jackson.

There being no further nomination, Ms. Jackson was appointed as a member of the Human Services Committee for a term ending June 30, 2002, by the following vote:

FOR MS. JACKSON: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith-----7.

COMMITTEES- OATHS OF OFFICE- LIBRARIES: The Mayor advised that there is a vacancy on the Roanoke Arts Commission created by the resignation of Rita D. Bishop and called for nominations to fill the vacancy.

Mr. Harris placed in nomination the name of Frank J. Eastburn.

There being no further nominations, Mr. Eastburn was appointed as member of the Roanoke Arts Commission to fill the unexpired term of Rita D. Bishop, ending June 30, 2002, by the following vote:

FOR MR. EASTBURN: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith-----7.

At 4:55p.m., the Mayor declared the Council meeting in recess to be immediately reconvened in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, for a joint meeting of City Council and the Roanoke Redevelopment and Housing Authority.

A joint meeting of the Roanoke City Council and the City of Raonoke Redevelopment and Housing Authority was called to order on Thursday, October 18, 2001, at 5:00 p.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., with Mayor Ralph K. Smith and Chairman Willis M. Anderson presiding.

CITY COUNCIL MEMBERS PRESENT: William D. Bestpitch, William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

HOUSING AUTHORITY COMMISSIONERS PRESENT: Carolyn M. Bumbry, Ben J. Fink, Joseph F. Lynn, Christie L. Meredith and Chairman Willis M. Anderson-----5.

ABSENT: H. Victor Gilchrist and James W. Burks, Jr.-----2.

HOUSING/AUTHORITY: Following dinner, the business session convened at 5:30 p.m. Chairman Anderson expressed appreciation for the opportunity to meet with Council. He stated that the Housing Authority is approximately one-half century old and is committed to enforcing enabling legislation adopted by the General Assembly of Virginia. He state that over the years, the Authority has been one of the City's most important partners; it is a political subdivision of the Commonwealth of Virginia with many specified duties and powers, including the power to incur debt, issue bonds in the name of the Housing Authority, exercise the power of eminent domain, and undertake projects at the City's request and on the Housing Authority's own initiative with Council approval. He called upon Housing Authority Commissioners to present various project updates.

South Jefferson Redevelopment Area:

Commissioner Meredith advised that the South Jefferson Redevelopment area is a \$14 million project, and over the first three years, \$14 million will be spent on relocating businesses, demolition of buildings, acquisition of properties and remediation of environmental issues. She stated that all of the parcels of land in the initial site have been appraised, with purchase offers and two purchases have been finalized; and in the Spring of 2002, Carilion Hospital will begin construction of a day care center, a 1,000 space parking deck and a credit union. She advised that the Housing Authority and owners of the properties met with environmental consultants and the Department of Environmental Quality on voluntary remediation and all

property owners in the area have agreed to participate, it is hoped that the Department of Environmental Quality will approve a voluntary remediation plan and that all proposals will pass contamination issues, with voluntary remediation saving in the range of \$400,000.00 - \$600,000.00. She displayed design themes to be used in the South Jefferson redevelopment area.

Ms. Meredith presented an update on the Virginia Rail Passenger Station, and the Depot Feed and Seed Store which is currently owned by Norfolk Southern Railway and was subsequently damaged by fire earlier this year. She advised that the Roanoke Valley Preservation Foundation would like to purchase the property for sale to another entity, possibly the Roanoke Chapter of the National Rail Historical Society, for development as a museum. She stated that the property is currently assessed at \$13.9 million which generates approximately \$47,000.00 per year in taxes, and once build out is complete for the entire project, the new assessment will be \$440 million, with annual real estate taxes projected to be in the range of \$4.4 million per year.

Eight Jefferson Place:

Commissioner Lynn advised that Eight Jefferson place is the first of its nature to be undertaken; it is a \$10.5 million project, involving construction of 87 market rate units for downtown housing, consisting of one and two bedroom apartments, and renting at approximately \$1,000.00 per month. He stated that the project provides market rate housing, it is an economic development project, financing is in place, construction has commenced, and occupancy will occur in the summer of 2002, with the goal of renting all units within nine months of completion. He advised that the project will aid specifically in the development of new business enterprise for persons who are interested in downtown housing and will establish a customer base for downtown businesses, thereby increasing the City's tax base.

Lincoln 2000:

Commissioner Bumbry advised that she is a resident of Lincoln Terrace and as of this date, 45 new units have been rehabilitated and are currently occupied, another four units are ahead of schedule and demolition of Lincoln 2000 is approximately one half complete, with 69 units already razed and 76 yet to be razed. She stated that relocation in Lincoln Terrace has progressed and no tenant had to be displaced due to construction. She called attention to a partnership with Blue Ridge Housing Development Corporation that constructed two houses off site on Dunbar Street, one of which was purchased by a Lansdowne resident; and 14 new duplex units will soon be constructed, ten of which will be fully handicap accessible and four will be lease/purchase units. She reviewed aspects of the "Upward Mobility Through Public Housing" program which is administered in Lincoln Terrace and explained that residents are encouraged to sign a contract stating that they will participate in the program which is designed to help residents move out of public

housing into a home of their own. She stated that 44 residents are under contract for participation out of a total of 46 eligible participants, participants must have incomes of \$15,000.00 per year, and five Lincoln Terrace families have purchased homes since the Lincoln 2000 program was initiated.

Ms. Troy Long, a participant in the "Upward Mobility Through Public Housing" program advised that the program has helped to provide the necessary funds to enable her to go back to school, and she was accepted in the Virginia Western Community College Nursing Program. She added that, overall, the program has been successful and most of the participating residents are trying to make a better life.

What the Housing Authority Brings:

Commissioner Fink advised that the Housing Authority operates pursuant to the Code of Virginia to develop and operate housing projects, to serve as a partner with the City, to study areas of the City where blight might exist, to serve as the City's agent, and to implement the City's Vision Plan. He stated that the Housing Authority has specific authority under State Code to purchase property from private and public development in blighted area to be used for low income housing, and the Housing Authority can make loans and grants for construction or rehabilitation of residential, commercial, institutional or industrial properties, a prime example of which is the Roanoke Higher Education Center. He further stated that the Housing Authority can issue revenue bonds, such as that which was done for the Hotel Roanoke Conference Center; the Housing Authority can borrow money to carry out programs such as the Neighborhood Rehabilitation Loan Program; it can form corporations, partnerships, joints ventures, trusts or any other legal entities in order to carry out programs and projects, one of which is the Eight Jefferson Place Project; the Housing Authority can create and implement neighborhood revitalization programs for the City; develop residential commercial properties, purchase properties, relocate residents , businesses, clear, sell or release property; address difficult environmental matters and solutions to potential environmental issues, such as the voluntary remediation program previously discussed for the South Jefferson Street area; operate low income housing, create innovative opportunities for low income families and obtain Federal and other funds for local programs such as the HOPE VI Project. He advised that the Housing Authority can create partnerships, provide mediation and facilitation, assist with real estate projects and neighborhood needs, develop effective programs for revitalization, and coordinate implementation of housing programs among local nonprofit housing providers so as to provide the best leverage resources, in conjunction with a staff of professionals representing numerous talents. He spoke in support of a Housing Authority liaison program with City Council in order to work closer with Council and the City administration to insure that the two entities do not work at cross purposes and that priorities are known and understood by all. He proposed a program in which Housing Authority

Commissioners and City Council Members would meet to discuss priorities and expectations.

Marketing Rate Housing Efforts:

Executive Director John Baker advised that the Housing Authority is as interested in market rate housing as it is in all other aspects of housing in the City of Roanoke. He stated that it is important for the Housing Authority to meet the needs of low income families, but it is equally important for the health of the City to provide housing diversity, and an inventory of market rate housing is necessary to provide a healthy City for families of low income. He added that the Housing Authority supports the opportunity for families to move out of public housing and into more standard market rate housing which is the philosophy behind the Lincoln Terrace model. He noted that the Eight Jefferson Place Project is an economic development project as much as a housing project and offers an opportunity to provide another type of inventory of housing when businesses are trying to attract employees, or when the City is trying to attract new business's into the area. He stated that market rate housing is an important part of the many programs that the Housing Authority wishes to operate by working with the City administration and City Council to insure that both groups are proceeding in the right direction and that the Housing Authority implements those plans and policies established by Council.

Council Member Harris, Council's liaison to the Roanoke Redevelopment and Housing Authority, advised that he meets monthly with Mr. Baker and Mr. Anderson for updates on pertinent projects, and requested that Council Members convey questions or concerns on housing issues to him as Council's liaison representative to the Housing Authority. He echoed the sentiments of Council Members that projects highlighted by the Housing Authority are creditable, important and exciting to the community. He addressed a concept to strengthen the relationship between City Council and the Board of Commissioners of the Housing Authority as a result of dialogue and input by Council Members, with the goal of transitioning to a more effective working relationship. He stated that other avenues of cooperation could be to expand the business breakfasts to include one additional member of City Council and one additional member of the Housing Authority Board of Commissioners; inasmuch as there are seven members of City Council and seven Housing Authority Commissioners, there could be a one on one rotating relationship/partnership with one member of the Housing Authority and one member of City Council meeting periodically to provide each other with feedback; a more intensive type of meeting with the Housing Authority could be held to discuss general matters and direction which would be more indepth and free flowing than the current meeting structure, and either annually or semi-annually the two bodies could engage in a one-half day retreat to discuss issues of economic development, public housing, market rate housing, etc. He stated that the above represent ideas that he would like to discuss with his colleagues on City Council and encouraged the Housing Authority to do likewise. He stated that the Housing Authority is moving in the right direction and

there appears to be good communication between the City Manager and her staff and the Executive Director and his staff.

The City Manager advised that she, along with City staff, would welcome the opportunity to present briefings to the Housing Authority on any City item of interest.

Ms. Wyatt encouraged the Housing Authority to investigate more ways to occupy children during that period of time when school is dismissed until their parents arrive home from work.

OTHER BUSINESS: None:

There being no further business, at 6:40 p.m., the Mayor declared the Council meeting in recess until 7:00 p.m., in the City Council Chamber.

On Thursday, October 18, 2001, at 7:00 p.m., the Roanoke City Council reconvened in regular session in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, William D. Bestpitch, William H. Carder, C. Nelson Harris and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by Council Member William D. Bestpitch.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PUBLIC HEARINGS:

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Thursday, October 18, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Sherman W. Chisom that an unused, unpaved and unimproved alleyway running in an east/west direction between 10 ½ Street and 11th Street, S. E., between properties identified as Official Tax Nos. 4111317 and 4111303,

for a distance of approximately 130 feet in a westerly direction from 11th Street, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 28, 2001 and Friday, October 5, 2001, and The Roanoke Tribune Thursday, October 4, 2001.

Evelyn S. Lander, Agent, City Planning Commission, presented a written report of the City Planning Commission, and advised that due to an error in describing the alley to be closed in the legal advertisement, the Planning Commission considered the request at its meeting this afternoon. She explained that the petitioner is requesting that a portion of the undeveloped alley be closed because of lack of maintenance and vagrant issues; the heavily vegetated alley extends over a steep hill between 10 ½ and 11th Streets and the remainder of the alley (not requested for closure at 10 ½ Street) has been partially covered with gravel.

She advised that the City Planning Commission recommends that Council approve the request to vacate, discontinue and close the alley as above described.

Mr. White offered the following emergency ordinance:

(#35619-101801) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 215.)

Mr. White moved the adoption of Ordinance No. 35619-101801. The motion was seconded by Mr. Carder.

Sherman W. Chrisom, Spokesperson, appeared before Council in support of the request.

The Mayor inquired if there were persons present who would like to address Council in connection with the matter. There being none, Ordinance No. 35619-101801 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

The Mayor declared the public hearing closed.

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Thursday, October 18, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the Times-World Corporation that a portion of Salem Avenue, S. W., near its intersection with Second Street, being approximately five feet wide and 35 feet long, lying on the south side of Salem Avenue, and shown on the "Right of Way Easement and Vacation Plat for The Roanoke Times," prepared by Caldwell White Associates, and dated August 22, 2001, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 28, 2001, and Friday, October 5, 2001, and The Roanoke Tribune Thursday, October 4, 2001.

Evelyn S. Lander, Agent, City Planning Commission, advised that the City Planning Commission considered the street closure request at its afternoon session and pursuant to a vote of 7 - 0, the Planning Commission recommended approval of the request. She explained that the City Planning Commission added a condition that the applicant bear the cost of relocating the excising fire hydrant and traffic signal cabinet, which is currently in the right-of-way, if it is deemed necessary and recommended that the City sell the right-of-way at its fair market value. She referred to four measures currently before Council: (1) an option to close the right-of-way without additional conditions or sale of right-of-way; (2) an option to close the right-of-way with the added condition that the fire hydrant and traffic signal cabinet be relocated, if necessary, with sale of the right-of-way (3) an option to relocate the fire hydrant and the signal cabinet without the sale of right-of-way and (4) an option to relocate the fire hydrant and the signal cabinet with the sale of right-of-way.

Ms. Lander called attention to a report from the City Planning Commission which was included in Council's agenda packet that detailed the entire request, with the statement that the Planning Commission would consider the matter at its afternoon session today and advise Council at its evening meeting of the Planning Commission's recommendation.

Mr. White expressed concern that he did not have access to the written report containing the recommendation of the City Planning Commission prior to the Council meeting.

The City Attorney clarified that the recommendation of the City Planning Commission is to approve the vacation of the right-of-way, thereby requiring the applicant to purchase the right-of-way and to pay for relocating a fire hydrant and traffic signal cabinet, if necessary.

Mr. Bestpitch offered the following ordinance:

"AN ORDINANCE permanently vacating , discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance."

The motion was seconded by Mr. Carder.

Daniel F. Layman, Jr., Attorney, representing the petitioner, advised that the Times World Corporation has no objection to the provision of the ordinance as recommended by the City Planning Commission, although project right-of-way has been comparatively unusual in the City of Roanoke. He stated that his client is agreeable to paying the cost of moving the utilities, however, there has been considerable discussion between representatives of the Times World Corporation and the City's Engineering Department that there may be some sharing of costs if the City takes this opportunity to do certain things that are not necessarily caused by the Times World Project, but because it is a good time to take such actions; for example: the traffic signal control cabinet may not have to be moved because of the Times World Project, but because the City might elect to raise the signal cabinet out of the flood level and would choose this opportunity to do so.

Ms. Wyatt expressed concern with not the procedure, but with the timeliness of the procedure. She stated that she had not received the written recommendation of the City Planning Commission in sufficient time to give the matter the thorough attention that it deserves, therefore, she was uncomfortable in continuing with the process and in making a decision regarding information that she had not had sufficient time to read or understand. She added that her position has nothing to do with whether she is for or against the Times World project, but the timeliness of receiving information from the City Planning Commission.

The Mayor inquired if it was critical that the matter be acted upon this evening; whereupon, the City Manager advised that because reports were submitted and forwarded to Council without the recommendation of the City Planning Commission, but clearly provided all background information as to the issues, it was the belief of City staff that with the City Planning Commission's recommendation coming forth this evening, Council might be in a position to take action; however, if Council is not comfortable in doing so, the petitioners and all other parties to the matter would prefer to give Council adequate time in which to make the proper assessment. She stated that reports were submitted on each public hearing item providing Council with all of the background information, except the recommendation of the City Planning Commission, prior to the Council meeting.

The Mayor inquired if there were citizens who wished to be heard; whereupon, Mr. Martin Jeffrey, 3912 Hyde Park Drive, S. W., Roanoke County, advised that Council, the City of Roanoke and the United States of America, in response to the terrorists attacks on New York and Washington, D. C., on September 11, 2001, have elevated God front and center.

The Mayor requested that Mr. Jeffrey keep his remarks germane to the public hearing.

Mr. Jeffrey advised that there are three public hearings on the agenda this evening regarding The Roanoke Times and its expansion project, this being one of those items, and proceeded to read Bible scripture; whereupon, the Mayor ruled Mr. Jeffrey out of order inasmuch as his remarks were not germane to the topic of the public hearing and declared a ten minute recess.

Following the recess, Vice-Mayor Carder advised that the City Planning Commission has recommended abandonment of an easement of 168 square feet at a minimal price, it did not make sense to delay a \$30 million project for a minimal amount and encouraged Council to act on the matter as soon as possible.

Mr. White advised that under normal circumstances, he would agree with Vice-Mayor Carder, however, since there has been confusion regarding information before the Council, four different versions of an ordinance, and a question with regard to sharing costs on moving utilities, he would encourage Council to delay action on the matter until a later date.

Mr. Hudson concurred in the remarks of Council Members White and Wyatt inasmuch as Council has not had sufficient time to study the recommendation of the City Planning Commission.

Following discussion, Mr. Layman advised that the Times World Corporation does not wish to be perceived as rushing through the process or placing Council Members in an awkward situation; therefore, the Times World Corporation would be willing to continue the matter until the next regular meeting of Council.

Ms. Wyatt requested the privilege of offering a substitute motion; whereupon, the Mayor called upon the City Attorney for a ruling as to whether a substitute motion was in order. The City Attorney advised that it would be appropriate to proceed with the roll call on the ordinance.

Inasmuch as five affirmative votes are required for adoption of an ordinance dispensing with the second reading of the title paragraph, the ordinance was lost by the following vote:

AYES: Council Members Bestpitch, Carder, Harris and Mayor Smith-----4.

NAYS: Council Members White, Hudson and Wyatt-----3.

The Mayor declared the public hearing closed.

EASEMENTS-NEWSPAPERS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Thursday, October 18, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke to vacate a utility easement across four parcels of land along Second Street, S. W., identified as Official Tax Nos. 1011001-1011004, inclusive, in connection with the Times-World Corporation expansion, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, October 7, 2001, and The Roanoke Tribune on Thursday, October 4, 2001.

A communication from the City Manager advising that the Times-World Corporation, a subsidiary of Landmark Communications, Inc., has been publishing newspapers from its present location in downtown Roanoke since 1914; a major expansion was completed in 1984; a new production facility is proposed on property across Second Street; a request to abandon an easement across four parcels of land along Second Street has been received from the Times-World Corporation; the parcels are identified as Official Tax Nos. 1011001, 1011002, 1011003, and 1011004; the subject easement was acquired as part of the Second Street/Gainsboro Road Project and is described as a permanent utility easement for C & P Telephone Company of Virginia and the City of Roanoke; as successor to C & P, Verizon has agreed to abandon its rights to the easement; and Engineering staff recommends that the easement be vacated, was before Council.

Following the public hearing, the City Manager recommended that Council authorize vacation of the easement.

Mr. Bestpitch offered the following ordinance:

“AN ORDINANCE authorizing the vacation of an easement on property identified as Official Tax Map Nos. 1011001, 1011002, 1011003, and 1011004 adjacent to Second Street, S. W., upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.”

Mr. Bestpitch moved the adoption of the ordinance. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to address Council in connection with the matter; whereupon, Mr. Martin Jeffrey, 3912 Hyde Park Drive, S. W., Roanoke County, requested a definition of the word "germane." The Mayor responded that the word germane means to address the subject under discussion by Council.

Mr. Jeffrey requested that Council vote no on the item inasmuch as it represents a fundamental erosion of public trust and integrity and moves forward on the Times World project, a project to which the City gave \$500, 000.00 to a multi-million dollar operation. He called attention to concerns about the slanting of news relative to Roanoke City government since the decision was made and easements were applied for; there are concerns in the community regarding the nature of the relationship between the City of Roanoke and the Times World Corporation and what the City of Roanoke might receive in exchange for the \$500,000.00. He referred to the concerns expressed by of Mr. Roger Roberts regarding the impact of the project upon his property investment and that Mr. Roberts was not informed of plans of the Times World Corporation prior to investing thousands of dollars in his property. He stated that to grant the request of the Times World Corporation is a fundamental erosion of public trust in the newspaper as the public voice and in Council as the public government, because such actions send the wrong message, and encouraged Council Members to vote no on this item and the previous item.

Ms. Wyatt offered a substitute motion that the matter be tabled. The motion was seconded by Mr. White and lost by the following vote:

AYES: Council Members Hudson, White and Wyatt-----3.

NAYS: Council Members Bestpitch, Carder, Harris and Mayor Smith-----4.

Following further discussion in which it was pointed out by the City Attorney that the ordinance, in its present form, would require five affirmative votes to pass and if the emergency provision is deleted, the ordinance would require a second reading by Council on November 5, 2001, and would be effective ten days following the date of adoption.

Ms. Wyatt advised that she was supportive of the concept; however, her concern related to the timeliness of receiving the recommendation of the City Planning Commission and if she was forced to vote on the issue this evening, she could not support the request. She stated that it is an issue of principle because while there may not be an issue on this particular item, Council should not set a precedent of acting on information that it has not had sufficient time to read and understand.

Mr. Harris advised that written information on the matter before Council was included in the Council agenda material which was delivered to all Members of Council on Thursday, October 11, 2001. He stated that Council is not being held hostage because something has changed, and petitioners are present this evening who expect Council to act on the matter.

Ms. Wyatt responded that six documents were placed before Council after 7:00 p.m., this evening which is the information that she had not had an opportunity to read and understand. She stated that the issue is one of appropriate and responsible behavior as a Member of Council.

Mr. Harris advised that in the spirit of moving on with the agenda, he would support a motion to table the item with the understanding that at the next meeting of Council, all Members of the Council will come prepared to vote on the issue.

Mr. Harris moved that the ordinance be tabled until the next regular meeting of Council on Monday, November 5, 2001, at 2:00 p.m. The motion was seconded by Mr. Hudson and adopted, Mayor Smith voted no.

The Mayor declared the public hearing closed.

CITY CODE-ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Thursday, October 18, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke to amend Section 36.1-206, Permitted Uses, Section 36.1-227, Permitted Uses, and Section 36.1-249, Permitted Uses, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to provide for commercial printing establishments including newspapers, publications and other printed materials as permitted uses in the C-2, General Commercial District, C-3, Central Business District, and LM, Light Manufacturing District, of the City of Roanoke, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 28, 2001 and Friday, October 5, 2001, and in The Roanoke Tribune on Thursday, October 4, 2001.

Evelyn S. Lander, Agent, City Planning Commission, advised that a report of the Planning Commission was included in the Council package that provided all background information on the proposed amendment. She stated that the City Planning Commission met this afternoon and recommends approval of the proposed amendment by a vote of 6 - 0. She advised that David A. Bowers, Attorney, representing Roger Roberts, spoke in opposition to the proposed amendment and Stan Barnhill, Attorney, representing The Roanoke Times, spoke in favor; Mr. Roger Roberts, property owner, spoke in opposition and Wendy Zamparelli, Publisher, The Roanoke Times, responded to comments regarding the proposed

Times World Corporation expansion project. She called attention to two communications in support of the proposed amendment, one from Downtown Roanoke, Inc., and one from the Roanoke Regional Chamber of Commerce.

Mr. Bestpitch offered the following ordinance:

(#35620-101801) AN ORDINANCE amending and reordaining §36.1-206, Permitted Uses, §36.1-227, Permitted Uses, and §36.1-249, Permitted Uses, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, to provide for commercial printing establishments which print newspapers, publications and other materials, as permitted uses in the C-2, General Commercial District, C-3, Central Business District, and the LM, Light Manufacturing District, of the City of Roanoke, and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 218.)

Mr. Bestpitch moved the adoption of Ordinance No. 35620-101801. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to address Council in connection with the matter; whereupon, David A. Bowers, Attorney, representing Roger Roberts, stated that Council is being requested to amend the Zoning Ordinance and yet, the City Planning Commission has been directed by Council and the City Administration to submit a complete revision to the City's entire Zoning Ordinance. Therefore, he requested that the law be left intact and that The Roanoke Times proceed under the City's current Zoning Ordinance. He stated that a question has arisen as to what the proposed amendment has to do with The Roanoke Times which leads to questions such as: why does the ordinance refer to printing presses, why does the ordinance refer to the newspaper, why is the publisher of the newspaper present this evening, why did the City administration send the proposed amendment through the channels for City Planning Commission consideration, why has there been an exchange of land between the City and the newspaper, why has there been a \$500,000.00 grant to the newspaper, and why was such action taken in public session in May 2001, not in the name of The Times World Corporation, but under another name that was not recognized. He stated that one cannot stop progress, but one should consider the impact of progress on people.

Mr. Roger Roberts, 121 Campbell Avenue, S. W., spoke against the proposed Zoning Ordinance amendment. He stated that many concessions have been made to The Roanoke Times because it threatened to move its operation out of the City. He stated that as a property owner, he was required to abide by the Zoning Ordinance when he purchased his property and expressed concern that Council is being swayed by a \$31 million project. He called attention to noise and odor from The Roanoke Times operation as a result of diesel trucks and gates that unload

paper which should not be permitted in an area that allows townhouses, apartments, schools, etc. He requested that Council vote against the request to amend the Zoning Ordinance, and that City Council stand up for the people of the City of Roanoke by saying no to big businesses.

John H. Kennett, Attorney, assisting David A. Bowers, Attorney, representing Mr. Roger Roberts, advised that the purpose of the Zoning Ordinance is to protect property; however, not only will the \$31 million project damage the property of his client, the City went about it in a manner that almost guarantees its defeat in court. He stated that the Zoning Ordinance currently provides 39 permitted uses in the C-3 District, and it is agreed this is not one of the 39 permitted uses. He added that the proposed amendment provides for a permitted use which will allow a manufacturing plant to be placed in an existing building, therefore, it has been interpreted that if the Times World Corporation constructs a new building for \$30 million with a walkway across Second Street, it then becomes an existing building for the present Times World Corporation, which interpretation he believes the court system will over turn. He advised that Mr. Roberts would not be adverse to the Times World Corporation constructing a printing plant on the existing block by adding a number 40 to the 39 permitted uses, and if the Zoning Ordinance is amended accordingly, the printing press could be located downtown on the existing block, but not across the street from Mr. Roberts property, Mr. Roberts would then withdraw his complaint and the City would still have the \$31 million expansion project proposed by the Times World Corporation.

D. Stan Barnhill, Attorney, representing The Times World Corporation, advised that it is interesting to note that Mr. Bowers suggested that the action Council is about to take is somewhat tainted by unlawfulness, while Mr. Kennett advised that Council is precisely doing what he believes Council should be doing to address the issue. He stated that before Council is an ordinance that will permit a use which is currently wide spread in the inner city because not only is the Roanoke Times located in this area, but so is Stone Printing, Virginia Lithograph, and other similar types of businesses which are activities that are well suited for the center city and for C-2 areas. He further stated that the Times World Corporation intends to install an innovative printing press that does not yet exist in the United States, and one would have to go to Canada or Europe to see the type of innovative technology that is proposed for the Roanoke area which will enhance the value to the region of providing a top flight newspaper that will serve the needs of the community. He advised that in his remarks, Mr. Kennett alluded to spot zoning; however, Council is not being asked to change any parcel of land with any particular interest in mind, but instead Council is requested to bring the Zoning Ordinance into compliance with what existed prior to the 1989 amendments inasmuch as printing establishments were permitted for a number of years in this area. He stated that there will be no damage to Mr. Roberts property as a result of permitted uses in the current C-3 district because bus stations, a stadium, and a hospital are currently permitted uses and pursuant to the proposed amendment, a modern printing press

will be located on what is now an empty lot. He advised that Mr. Roberts, who stated that his property rights are being violated, chose to place his apartments in their present location when the Times World printing press was located in close proximity to his property. He stated that the arguments before Council are veiled attempts to hold the Times World Corporation hostage.

Wendy Zamparelli, Editor and Publisher, The Roanoke Times, advised that the newspaper has been a part of downtown Roanoke since 1886, it is about to celebrate its 115th anniversary, and the Times World Corporation wishes to remain a part of downtown Roanoke. She stated that the first thing the Times World Corporation did when it became aware that the antiquated printing press had to be replaced was to determine whether it could be located on the parking lot adjacent to the building; however, the reality is that printing presses have changed in the last 50 years since the Times World Corporation purchased its last printing press and the press of today cannot be located on that same kind of footprint; therefore, it was felt that acquiring surface parking lots and designing an innovative project to connect the building with the existing building would enhance downtown Roanoke. She stated that the new printing press will enable color print on every page of the newspaper which will add to the enjoyment of readers and to the success of advertisers in The Roanoke Times. She explained that the Times World Corporation has worked openly throughout the project to make its intentions clear; she would not want to be the publisher that pulled 450 employees out of downtown Roanoke because the newspaper could not find space to locate its new facility, which would mean that 450 people who come to the downtown Roanoke area every day to work, shop, and transact business would no longer be in place, and she asked that it be envisioned what the corner would look like with an empty building. She urged that the City of Roanoke correct an omission that was made in the latter part of 1980's.

Mr. Martin Jeffrey, 3912 Hyde Park Drive, S. W., Roanoke County, urged that Council either table the item or vote no. He stated that it is a moral question for City government and asked if Council plans to continue to conduct business in this matter which sends the wrong message to its citizens. He further stated that his position is not against economic development or stabilizing downtown, but economic development should be offered with accountability by everyone involved in the process. He advised that the proposed amendment is clearly a way to circumvent the legal challenges to the zoning request that The Roanoke Times submitted to the Board of Zoning Appeals. He stated that if City Council cares about its citizens, tabling the item will not compromise a \$31 million project, it should be pointed out that the newspaper is violating at least 11 of the Code of Ethics of Journalism in accepting funds from the City, in the zoning ordinance amendment, and there is a perception by citizens of bias in the coverage of Roanoke City government by The Roanoke Times.

There being no further speakers and no further discussion by Council, Ordinance No. 35620-101801 was adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith----- 6.

NAYS: None-----0.

(Council Member Hudson was out of the Council Chamber.)

The Mayor declared the public hearing closed.

CITY CODE-ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Thursday, October 18, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City Planning Commission to amend Section 36.1-723, Penalty for violations, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to revise penalties for violations of the Zoning Ordinance, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 28, 2001, and Friday, October 5, 2001, and The Roanoke Tribune Thursday, October 4, 2001.

A report of the City Planning Commission advising that the proposed amendment to the Zoning Ordinance is recommended to provide the City of Roanoke with the authority granted to localities by the state legislature by a recent amendment to the Code of Virginia, which provides for higher criminal penalties for violations of the Zoning Ordinance; the current code provides for a \$50.00 fine for unabated violations and a \$250.00 fine if not corrected in ten days; a new code provision would establish a fine ranging from a minimum of \$10.00 to a maximum of \$1,000.00, and would provide that if the violation is not corrected within ten days, a fine could be imposed of not less than \$100.00 and not more than \$1,500.00, was before Council.

The City Planning Commission recommended that Council adopt the proposed amendment to Section 36.1-723 of the Zoning Ordinance.

Mr. Carder offered the following ordinance:

(#35621-101801) AN ORDINANCE amending and reordaining §36.1-723, Penalty for violations, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, revising the penalties for violations of the zoning ordinance, and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 220.)

Mr. Carder moved the adoption of Ordinance No. 35621-101801. The motion was seconded by Mr. Hudson.

The Mayor inquired if there were persons present who would like to address Council with regard to the request. There being none, Ordinance No. 35621-101801 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----7.

NAYS: None-----0.

The Mayor declared the public hearing closed.

CITY CODE-COMMITTEES-ARCHITECTURAL REVIEW BOARD: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Thursday, October 18, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke to amend Section 36.1-640, Appointment, membership, Division 2, Architectural Review Board, Article VII, Administration, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to eliminate certain qualifications for membership on the Architectural Review Board, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 28, 2001, and Friday, October 5, 2001, and The Roanoke Tribune Thursday, October 4, 2001.

A report of the City Planning Commission advising that at present, members of the Architectural Review Board are required to meet certain eligibility requirements as set forth in the Zoning Ordinance and Section 36.1-640 provides for the following requirements:

“All members shall have an interest, competence or knowledge in historic preservation. At least one (1) of the members appointed shall be selected from the membership of the city planning commission, at least two (2) members shall be registered architects, and at least one (1) member shall be a person who has a demonstrated knowledge of and interest in the history of the city.”

It was further advised that the proposed amendment would eliminate all of the requirements for board membership.

Mr. Carder offered the following ordinance:

“AN ORDINANCE amending and reordaining §36.1-640, Appointment, membership, of Division 2, Architectural Review Board, of Article VII, Administration, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, in order to eliminate certain qualifications for members of the Architectural Review Board, and dispensing with the second reading of this ordinance by title.”

Mr. Carder moved the adoption of the ordinance. The motion was seconded by Mr. Bestpitch.

Evelyn S. Lander, Agent, City Planning Commission, advised that a motion to approve the proposed amendment failed by a vote of 0 - 5; at a meeting of the Planning Commission which was held this afternoon; two members of the City Planning Commission expressed concern with regard to removing the requirement that at least two architects be appointed to the Architectural Review Board because it was felt that the Board should include architects in order to maintain validity and to serve the needs of the City's historic districts. She noted that other Planning Commission members had similar concerns and requested that they be provided with additional information regarding the reason for the proposed amendment.

The Mayor inquired if there were persons present who would like to address Council in connection with the matter; whereupon, Mr. Robert Richert, 415 Allison Avenue, S. W., encouraged further study of the proposed amendment. He stated that fine tuning is needed and it is a given that members of the Architectural Review Board should have an interest, competence and knowledge of historical preservation, and it is hoped that future Councils would honor that provision if it were not included in the ordinance. He stated that a representative of the City Planning Commission may not be necessary on the Architectural Review Board because of the level of maturity since the historic districts were instituted. He strongly supported the need to appoint architects to the Board because it is difficult to deal with competent professional persons who appear before the Architectural Review Board if architects are not represented. He stated that the number of architects specified should not be less than two because there are instances when an architect serving on the Board must abstain from voting due to a personal interest, and suggested that the ordinance provide, “not less than two nor more than three architects”; and it appears that the requirement to appoint one person knowledgeable in the history of Roanoke is redundant.

Robert B. Manetta, Chair, Architectural Review Board and a Member of the City Planning Commission, advised that he serves in the dual role as a member of the City Planning Commission and the Architectural Review Board; however, there does not appear to be any significant value in serving in a dual function because communications concerning Architectural Review Board and City Planning Commission activities rarely require coordination. He spoke in support of deleting the provision requiring the appointment of an individual with knowledge of the history of the City, because it should be obvious that at least a majority of the Board

would have knowledge about the general history of the City of Roanoke. He also spoke in support of a provision that would require appointment to the Board of at least one person who is a professional in the field of historic preservation. He stated that at least two architects are needed on the Architectural Review Board to address Board items in a professional manner. In summary, he requested that at least two architects and a representative with historic preservation background be included in the Architectural Review Board.

Following further discussion, Mr. Carder offered a substitute motion that the matter be tabled, with the recommendation that the Vice-Mayor, Council Member Wyatt, the City Manager and the City Attorney (the committee previously appointed by Council to study restructuring of Council appointed boards and commissions) meet with representatives of the Architectural Review Board to further discuss the matter and report to Council accordingly. The motion was seconded by Mr. Bestpitch and unanimously adopted.

PARKS AND RECREATION-ACTS OF ACKNOWLEDGEMENT: Pursuant to action of Council, the City Clerk having advertised a public hearing for Thursday, October 18, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider the proposed renaming of Elmwood Park to honor the late Dr. Martin Luther King, Jr., the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, September 28, 2001, and Friday, October 5, 2001, and The Roanoke Tribune Thursday, October 11, 2001.

For the benefit of the viewing audience, Council Member Harris officially presented a compromise concept that was presented in the newspaper and discussed with Council Members. He advised that following the report of the Martin Luther King Memorial Committee, coupled with initial public reaction and responses, he discussed the following compromise proposal with Vice-Mayor Carder who served as Council's liaison to the Martin Luther King Memorial Committee: i.e.: "The "Outlook Roanoke" plan regarding downtown contains a recommendation that Bullitt Avenue be extended to intersect with Williamson Road. Presently, Bullitt Avenue deadends just past the library. Should Bullitt Avenue continue through to Williamson Road, there would be a natural division of Elmwood Park. Herein lies the compromise. On the south side of Bullitt Avenue would remain the library, amphitheatre, and a majority of the park land. This south side could retain the Elmwood Park name. On the north side of Bullitt Avenue would be a rectangular park area containing the Lilly ponds and plaza and it is proposed that this area be named to honor Dr. King."

Council Member Harris explained that the purpose of Council's public hearing this evening is to receive responses, input, thoughts, and suggestions by citizens, and inasmuch as this is Council's first public hearing on the issue as a Council, no

action will be taken on the recommendation at this Council session, the intent of the public hearing being to listen to the views of citizens.

On behalf of Council, Mr. Harris invited speakers to respond to the original recommendation of the Martin Luther King Memorial Committee which is the official notice of the public hearing, or to respond to the compromise concept, or to offer suggestions of their own.

The Mayor advised that 17 persons had signed up to speak and requested that each speaker limit their remarks to three minutes.

Mr. E. Duane Howard, 508-D Walnut Avenue, S. W., presented a history of Elmwood Park and Peyton L. Terry, who made numerous contributions to the City of Roanoke and owned the grand estate known as Elmwood. He stated that the name "Elmwood" is a legend and a legacy to this great man and to the City of Roanoke and in that spirit, he requested that the public endorse and embrace the compromise proposal that was offered by Council Member Harris.

Mr. Kermit Shriver, 18 Mountain Avenue, S. W., advised that he has rebuilt and restored over five homes in Old Southwest, primarily between Franklin Road and South Jefferson Street, and he considers Elmwood Park to be the cornerstone of Historic Old Southwest, even though the guidelines for Old Southwest are at the corner of Elm Avenue and South Jefferson Street. He stated that he is not a racist but believes that if the citizens of the City of Roanoke desire to name something after the late Dr. King, it should be a roadway that carries a number rather than a name: for example: 2nd Street, 6th Street, 10th Street, etc. He noted that the Second Street Bridge or the Gainsboro Library would have been ideal ways to honor Dr. King's memory. He stated that the memorial committee should vote the conscience of all citizens of Roanoke City and, if necessary, submit the question to voter referendum so that citizens of Roanoke will stand united in the decision as opposed to some persons believing that the recommendation represents some kind of secret agenda that was planned behind closed doors to appease a special interest or group. He added that no one questions the integrity and the greatness of Dr. King; however, he is opposed to changing the name of Elmwood Park.

Mr. Hubert Brooks, 1002 Rosemary Avenue, S. E., advised that he has witnessed Roanoke grow in all directions, but Elmwood Park has remained the same and a part of the history of the Roanoke Valley. He read a letter signed by citizens of the Roanoke Valley strongly opposing the renaming of Elmwood Park, advising that to rename an existing historic landmark that dates back to 1911 would not only dishonor settlers who once lived on the land, but would be an injustice to Dr. King; the recommendation of the memorial committee is not in the best interest of all Roanokers, and Elmwood Park should remain Elmwood Park in its entirety.

Ms. Lee Wallace, 1048 Hunt Avenue, N. W., spoke in support of the recommendation of the memorial committee because Dr. King stood for unity and togetherness. However, she stated that she could also support a revised recommendation to name the northern part of Elmwood Park in honor of Dr. King.

Ms. Rosalie Sanchez Motley, 2835 Cove Road, N. W., recommended that Council vote against the compromise proposal as outlined by Council Member Harris. She stated that when she read in the newspaper that Roanoke was considering naming Elmwood Park in honor of Dr. King, she was proud of her adopted City because it is appropriate that the entire park be named in memory of Dr. King who was a Nobel Peace Prize recipient, and a leader who implemented change without violence. She stated that there are more than just African-American citizens who are interested in the issues because the Roanoke Valley has a growing population of Hispanics, and Dr. King was a hero to all people of all nationalities. She advised that Elmwood Park is used as a symbol of unity and the City's diversity should be honored.

Ms. Sandy Artis, 1450 Lafayette Boulevard, N. W., advised that the compromise site proposed by Council Member Harris to honor Dr. King is inappropriate. As history leading to the recommendation of the Memorial Committee, she advised that the citizens of Roanoke decided that a boulevard was not the proper way to show their respect for a man who worked so hard and gave his life to insure that the rights of others are respected; it was decided that something else should be suggested, so, a park was discussed, and then Elmwood Park was suggested, but certain people decided that the entire Elmwood Park could not be named for Dr. King, so the compromise of a walkway and a small piece of land on the corner, including a commitment to make improvements and to construct a monument with the extension of Bullitt Avenue to separate Elmwood Park from the other park, was suggested. She spoke against the alternative offered by Council Member Harris because it is not a sufficient and fitting memorial to Dr. King. She noted that a little bit of something is not better than nothing at all.

Deborah Parsons, 802 Mississippi Avenue, N. E., spoke against remaining Elmwood Park to honor Dr. King. She advised that she is not a racist, but believes that Dr. King should be honored in another way.

Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., advised that Dr. King was a scholar, an author, a recipient of the Nobel Peace Prize, he was among the first to speak out against the war in Vietnam, he stood at all times in the face of all trials for what he believed in, and he was a child of God; therefore, with pride in Dr. King and humility before God, she requested that Council reject the compromise proposal to have a separate and unequal area named in honor of Dr. King. She stated that the proposed alternative gives the appearance of returning to the days of segregation when "colored only" and "white only" signs were placed over water fountains that were located side by side. She advised that throughout his life, Dr. King did not

compromise his beliefs and those who still walk with him in spirit will continue to do as he did and not engage in compromise. She urged that Council reject the compromise proposal.

Mr. George Kegley, 301 Tinker Creek Lane, N. E., Member of the Board of Directors, History Museum and Historical Society of Western Virginia, advised that the Board of Directors voted to endorse the compromise proposal for naming the northern section of Elmwood Park in honor of Dr. King and retaining the name Elmwood. He stated that the Elmwood name, which is more than 150 years old, is an important and irreplaceable part of the history of Roanoke and the house known as "Elmwood" stood on top of the hill for many years. He called attention to the importance of remembering the significant name of Dr. King; therefore, the Historical Society believes that it is appropriate for the north section of Elmwood Park, which is a key location in downtown Roanoke, to be named in honor of Dr. King.

Mr. Jonathon Kuebler, 425 Fugate Road, N. E., advised that he was opposed to both the proposal to rename Elmwood Park in honor of Dr. King and the alternative suggested by Council Member Harris; however, if the question becomes changing the name of Elmwood Park completely, he would support the proposed compromise and encouraged Council Members to do likewise.

Barbara Duerk, 2607 Rosalind Avenue, S. W., Co-Chair of the Dr. Martin Luther King, Jr. Memorial Selection Committee, advised that committee members started their work in the fall of 2000 with no preconceived opinions on what would be an appropriate memorial for Dr. King. She stated that the committee wanted its decision to be responsive to public input and inclusive of all opinions, the committee worked diligently to inform the public of the work to be done and how citizens could be involved in the process, and the medium of television, telephone, radio, community news letters, business associations, schools, churches, community events, public forums and the Internet was used to inform the public and to solicit citizen input.

She noted that over 300 suggestions were received, from Social Studies and English students from classes at Patrick Henry High School, William Fleming High School and North Cross Middle School, 26 e-mail suggestions were received, a public forum was held on February 1, 2000, 134 postcard suggestions were received as a result of a article in the City Magazine, 25 suggestions were received from radio call in shows, and numerous other suggestions were personally delivered to members of the committee. She advised that numerous meetings were held to bring forward a recommendation that included a multi-faceted public input process. She stated that the following ideas were considered and researched: the Roanoke Higher Education Center, the Roanoke Civic Center Plaza, the Higher Education Center School of Diversity, Eureka Park, Interstate-581, the main library, the main post office, Lee Plaza, RNDC Plaza, the Roanoke Academy for Mathematics and

Science, and Elmwood Park. She explained that the recommendation which was submitted was not a compromise, but a consensus, therefore, the committee submitted only one recommendation to the City Manager which was overwhelmingly and unanimously endorsed by the Memorial Committee. She advised that Elmwood Park will form a nucleus for the celebration of ideas embraced by Dr. King, and Dr. King's work as a drum major for equality, justice and non-violent solutions for civil rights issues should be embraced by all people.

Ms. Helen E. Davis, 35 Patton Avenue, N. E., advised that Dr. King stood for the American ideals of freedom, justice and opportunity for all people; he stood for love, not hate, for understanding, not anger, for peace, not war and he stood for community and family. She stated that he stood for the hope that the nations of the world would cease their violent actions and demonstrate that race is not just a dream, but a real possibility, and it would be commendable if the City of Roanoke would honor Dr. King by establishing the proper memorial to him because his life and legacy will be known and remembered by generations not yet born. She advised that the proposed compromise by unequally dividing Elmwood Park is an insult to both Dr. King and to the City of Roanoke, and the compromise proposal could be seen as a way to divide people, which is the very concept that Dr. King worked to erase. She stated that at all times, Dr. King gave his best and in the end, he gave his life; whereupon, she requested that the City of Roanoke do better by Dr. King, and urged that Council not accept the compromise proposal.

Mr. Chris Craft, 1501 East Gate Avenue, N. E., advised that Dr. King was for unity and if he were alive today, he would not be pleased that citizens are fighting over what should be named in his honor. He spoke in support of both the committee's recommendation and the alternative proposed by Council Member Harris, but suggested further study regarding other alternatives such as the new stadium, amphetheater, or another location where people will come together in unity. He requested that Council consider what is best for all citizens of the City of Roanoke.

Ms. Kathy Hill, 509 Arbor Avenue, S. E., advised that the recommendation of the memorial committee will divide instead of unify the community, and it would be an embarrassment to name a small strip of land on the side of Bullitt Avenue in honor of such a great man. She advised that Dr. King believed in what he stood for and it would be appropriate to name a school or a university in his memory because his goal was to educate, to unite, and to bring people together. She stated that naming a park in his honor is not suitable for what Dr. King stood for and believed in.

Ms. Jennifer Pfister, 4701 Norwood Street, N. W., advised that previously, she was in favor of the compromise proposed by Council Member Harris, but retracted her position since it would be giving in to white racism. She advised that a Federal and State holiday is recognized in honor of Dr. King, other southern cities have

named streets, buildings, and parks in his honor and the entire park should be named Dr. Martin Luther King, Jr. Park. She advised that Elmwood Park has always been named Elmwood Park, and if one believes that there should be no change in its name, then Big Lick should never have changed its name, blacks should always sit at the back of the bus, and women should never have been given the right to vote.

Mr. Dan Crawford, 2022 York Road, S. W., advised that the United States was fortunate to have had a man of Dr. King's vision, energy and commitment as a leader in the Civil Rights movement of our country, a man with courage to lead people marching into angry threats, and mobs, and a man who studied, taught and insisted on non-violent political action. He stated that Dr. King and the people who worked with him and for him can be thanked for much of the stability and domestic peace that citizens take for granted. He noted that Roanoke would be fortunate to have its premier downtown park named in honor of such a great man, because there is no other place in the Roanoke Valley that hosts such diverse gatherings as Elmwood Park. He asked that the City of Roanoke demonstrate its appreciation for this mountain of a man and the stability that all citizens enjoy because of him and leave a City for future generations that reflects real personal effort to overcome ignorance and prejudice, and a City that reflects positive growth of the human spirit. He suggested that Elmwood Park be renamed Dr. Martin Luther King, Jr. Park.

Mr. Martin Jeffrey, 3912 Hyde Park Drive, S. W., Roanoke County, advised that Dr. King stood for compromise, compromise that moved all persons forward significantly and in a way that unravels the need for dividers and promoted equality for all. He stated that Dr. King, as did The Reverend Noel C. Taylor, made major contributions to the Roanoke Valley in the way they affected public policy in this country and in the City and in the way that people respond to each other and both of them in some ways, gave their lives to that ideal. He advised that both Dr. King and Dr. Taylor asked only for one thing from America and from the City of Roanoke in particular – Dr. Taylor wanted a commitment to the revitalization of Henry Street, much like that which was given to the Higher Education Center, GOB South, The Hotel Roanoke and Conference Center, and the Henry Street Garage, etc., and Dr. King asked only for equality in the way people are governed, in the way they live, and worship and that all persons be allowed to disagree peacefully. He stated that Dr. King did not want his name on a building, or a park, or a street, but would have looked with favor on a change in the way business and government is transacted. He suggested that the City change the anti-inclusion of citizens in the governmental process and name certain Council reforms in honor of Dr. King. He advised that both Dr. King and Dr. Taylor, two great men, were not interested in having their names placed on buildings or parks, but they shared in the belief that all people should be treated equally.

Mr. Jim Fields, Route 2, Hardy, Virginia, advised that Dr. King was not a politician, but a minister, and naming Elmwood Park in his memory is a good suggestion because he was a great man who believed in America and that all persons are created equal. He called attention to the need to recognize those persons who have made outstanding contributions to our country, and in these difficult days, citizens should stand united and not divided.

Vice-Mayor Carder advised that the Downtown Roanoke Outlook Plan was an inclusive report that included input from many citizens throughout the community, and the Plan recommended that Bullitt Avenue be extended through Elmwood Park prior to discussions regarding renaming the park to Martin Luther King, Jr. Park. He stated that the Bullitt Avenue cut through was not contingent upon a Martin Luther King, Jr. Park, but was a recommendation by the Downtown Outlook Roanoke Plan consultant prior to the recommendation of the Martin Luther King, Jr. Memorial Committee.

The Mayor advised that it was not the intent of Council to act on the matter this evening, but to receive input by citizens.

No other persons wishing to be heard, the Mayor declared the public hearing closed.

OTHER HEARING OF CITIZENS: The Mayor advised that Council sets this time as a priority for citizens to be heard; and matters requiring referral to the City Manager will be referred immediately, without objection by Council, for response, report or recommendation to Council.

At this point, the Mayor advised that RVT Channel 3 coverage of the Council meeting would conclude.

ACTS OF ACKNOWLEDGEMENT-PARKS AND RECREATION COMPLAINTS: Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., expressed confusion in regard to the process that was used in considering the proposal to rename Elmwood Park in honor of the late Dr. Martin Luther King, Jr. She stated that it was a disservice to the citizens of Roanoke that they were not formally briefed on the City Manager's recommendation as a result of the recommendation of the Dr. Martin Luther King, Jr. Memorial Committee. She required as to how Council can offer a compromise proposal before officially receiving and voting on the recommendation of the committee. She asked if citizens were addressing the original recommendation of the memorial committee to name the entire Elmwood Park in honor of Dr. King, or were citizens responding to the unofficial compromise as reported in the newspaper. She stated that there is a perception in the community that every time the issue of Dr. King comes up, procedures are "thrown out the window", and requested an explanation as to the procedure followed by Council in conducting its public hearing.

The Mayor invited Ms. Bethel to be seated; whereupon, she requested that she be permitted to remain at the podium to engage in dialogue with Council Members, just as Council engaged in dialogue with previous speakers at the 2:00 p.m. Council session.

Mr. White raised a point of clarification and advised that it was his understanding that Council would have an opportunity to engage in dialogue with citizens under the Hearing of Citizens section of the agenda. He stated that Council engaged in dialogue with speakers at its 2:00 p.m. session, and the same rule should apply to speakers at the 7:00 p.m. Council session.

The Mayor advised that Council also agreed that it would not respond to every issue. He stated that he was Chairing the meeting and Council has the power to overrule the Chair, however, his reasoning was that the remarks of the speaker were inappropriate inasmuch as the compromise proposal was reported in the newspaper and over 90 minutes of remarks were heard during the public hearing. He added that the speaker was afforded an opportunity to speak to the issue as a part of the public hearing.

Mr. Bestpitch advised that it is the option of Council at this point in the agenda to engage in dialogue with citizens; whereupon, he invited Ms. Bethel to return to the podium so that he could respond to her concerns from his perspective as one Member of Council.

Mr. Bestpitch advised that the term "compromise" is a mis nomer in this particular situation, because the proposal as stated by Council Member Harris is not a compromise per se, but an alternative suggestion, or another possibility which would still meet the criteria that the Dr. Martin Luther King, Jr. Memorial Committee established. He explained that the criteria were to choose something that is not located in one part of the City, or associated with one particular group, but that something be chosen to honor Dr. King that was centrally located and used by all citizens of the City of Roanoke, and that something be chosen that is an area of celebration, but not an area primarily associated with sports or entertainment. For those reasons, he printed out that the committee wanted to recommend something that would be a celebration and something that all citizens of the community could support. He added that it is unfortunate that the recommendation was interpreted as a compromise, as opposed to an alternative that does not compromise any of the criteria and still meets the criteria that was established by the committee. He advised that Council Member Harris stated the recommendation of the memorial committee at the beginning of the public hearing, as well as the alternative proposal, and indicated that citizens were free to give Council their opinion on either of those options, or to provide other suggestions regarding a fitting tribute to honor Dr. King.

Ms. Wyatt advised that it is most upsetting to her as one Member of Council that the Chair would allow citizens to engage in dialogue with Council Members at the 2:00 p.m. meeting and that the Chair would take it upon himself to decide whether another citizen of this community has the right to engage in dialogue with Council on another occasion, and requested that the matter be discussed at the continuation of Council's Planning Retreat on Friday, October 19, 2001.

Vice-Mayor Carder advised that the process was a learning experience and commended the memorial committee for its hard work. He stated that prior to the alternative proposal being announced in the newspaper, he met with members of the memorial committee and others and there were expressions of excitement about the possibility of the alternative proposal.

COMPLAINTS-PARKS AND RECREATION: Mr. Robert D. Gravely, 617 Hanover Avenue, N. W., expressed concern with regard to a Roanoke City worker who was recently attacked by a citizen while performing his duties as a City employee. He referred to other alleged incidents that have threatened the personal safety of City employees while performing their duties.

He advised that Dr. Martin Luther King, Jr., stood for peace and he represented all people, regardless of race; therefore, racism should not be an issue and suggested further study leading to a compromise recommendation to honor Dr. King's memory.

COMPLAINTS-HUMAN SERVICES-COUNCIL: Mr. Chris Craft, 1501 East Gate Avenue, N. E., expressed dissatisfaction with the actions of some Members of Council; i.e.: spending City taxpayers' money to lease a building on Williamson Road to relocate the Social Services Department when the funds could be spent on increasing teacher salaries, equipment purchases, etc. He applauded Council for opening the lines of communication between Council Members and citizens at the end of the City Council meeting.

YOUTH-SCHOOLS-DRUGS/ALCOHOL ABUSE: Ms. Rosalie S. Motley, 2835 Cove Road, N. W., addressed Council in regard to Red Ribbon Week which will be observed on October 25 - 31, 2001, and was established in 1985 by the Virginia Federation of Community and Drug Free Youth. She invited the Members of Council to attend special activities at William Fleming High School on Wednesday, October 31, which are designed to promote a drug free life style by students.

TRAFFIC-COMPLAINTS-HOSPITALS: Mr. Kermit Shriver, 18 Mountain Avenue, S. W., expressed concern with regard to noise and safety issues as a result of emergency vehicles entering the City from the vicinity of Troutville, Buchanan, Daleville, etc. He requested that the City of Roanoke communicate with the above referenced localities to determine if vehicles can exit I-581 and access the City via

Williamson Road, proceeding through a traffic light at Albemarle Avenue to South Jefferson Street and enter the hospital complex at the foot of the bridge.

Council Member Wyatt requested that the matter be referred to the City Manager to communicate with the above referenced localities.

STREETS AND ALLEYS: With regard to a public hearing which was held earlier in the meeting on a request of the Times World Corporation that a portion of Salem Avenue, S. W., near its intersection with second street, be permanently vacated discontinued and closed, Mr. Harris moved for a reconsideration of the ordinance vacating, discontinuing and closing the property. The motion was seconded by Mr. Carder.

Mr. White raised a point of order and advised that following completion of Item 10 on the agenda, the public was advised that Council was going off record to hear from citizens; however, if Mr. Harris' motion is adopted, Council will again be conducting City business; whereupon, he requested an opinion from the City Attorney as to the legality of the motion.

The City Attorney advised that Council has adopted an order for consideration of agenda items and Council's rules of procedure also provide that Council may change its rules of procedure at any time upon a majority vote of Council. He stated that the motion on the floor was appropriate.

Mr. White advised that the City Attorney's remarks were not responsive to his question. He stated that Council established certain rules which were voted on earlier in the meeting and one of the rules was to conduct public business; then to discontinue television coverage of the Council meeting to allow citizens an opportunity to speak and for Council to engage in dialogue, and it was indicated to the public prior to discontinuation of television coverage that Council had completed its official business. He inquired if Council could vote on Mr. Harris' motion without resuming television coverage of the public meeting.

Mr. Hudson concurred in the remarks of Mr. White in the interest of adhering to the new guidelines established by Council:

Mr. Harris withdrew the motion and Mr. Carder withdrew his second to the motion, with the request that Council Members will be prepared to vote on the matter at the next regular meeting of Council on Monday, November 5, 2001, at 2:00 p.m.

At 10:50 p.m., the Mayor declared the Council meeting in recess to be reconvened on Friday, October 19, 2001, at 2:00 p.m., on the Mezzanine of the Roanoke Civic Center Auditorium, Williamson Road, N.W., for a continuation of City Council's Planning Retreat.

The regular meeting of Roanoke City Council which was convened on Thursday, October 18, 2001, and declared in recess until Friday, October 19, 2001, for continuation of a City Council Planning Retreat was called to order at 2:00 p.m., on the Mezzanine of the Lobby of the Roanoke Civic Center, 710 Williamson Road, N. W., with Mayor Ralph K. Smith presiding.

PRESENT: Council Members William D. Bestpitch, William H. Carder, C. Nelson Harris, Linda F. Wyatt, William White, Sr., and Mayor Ralph K. Smith-----6.

ABSENT: Council Member W. Alvin Hudson, Jr.-----1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; and Mary F. Parker, City Clerk.

OTHERS PRESENT: Rolanda Johnson, Assistant City Manager for Community Development; and George C. Snead, Jr., Assistant City Manager for Operations.

The meeting was facilitated by Lyle Sumek, representing Lyle Sumek Associates.

COUNCIL: There was discussion with regard to objectives for creating a vibrant downtown and the following short term actions were identified:

Building Code: Update
Supporting second/third floor living

Civic Center Improvements:
Parking
Funding

Outlook Roanoke Plan Action Steps:
Parking Policy/Evaluate Parking Alternatives and Options
Traffic Flow Analysis: Future Direction

Library: Long term Plan :
Location and Resolution
Art Space (in terms of direction)

There was discussion in regard to enhanced environmental quality objectives.

The following were identified:

Clean Up River, Greenways, Gateways and Entrances - Improving the Image of Roanoke

Improve Air Quality - Respond to Federal Requirements

Develop Effective Approach to Regional Stormwater Management and Management Plan

Clean Up Visual Blight - "Eyesores" through Proactive Programs and Action Plan

Clean Up "Brownfield Fields," Address through Actions, Environmental Problems

Develop Effective Approach to Regional Waste Water Treatment

Short term actions identified for the next year are as follows:

- Tourism Development**
- Roanoke Branding Campaign**
- Short Term Strategy to Deal With Economic Downturn**
- Upper End Housing**
- Fire/EMS Direction**
- Service Inventory**
- First Floor Service Enhancements**
- Housing Program for First Time Home Buyers**
- Zoning Code Update**
- Outlook Roanoke Plan (Action Steps)**
- Building Code Update**
- Civic Center Improvements**
- Library - Long Term Plan and Recommendation**
- Urban Forestry Task Force (Development Policy and Plan)**
- Storm Water Management and Plan**
- Litter Education and Enforcement**
- Roanoke River- Recreational Uses and Plan**

The following were identified as the top four priorities:

- Roanoke Branding Campaign**
- Upper End Housing**
- Tourism Development**
- Civic Center Improvements**

There was discussion in regard to improving the Council meeting process; whereupon, the following suggestions were offered:

- Conduct public hearings on a separate Monday independent of the first and third Monday to avoid overly long Council meetings.**

No last minute documents should be placed on the Council dias or Council chairs prior to a Council meeting. If items need to be distributed, they should be introduced by the the appropriate Council-Appointed Officer.

Council should be briefed on last minute agenda items at the Council meeting.

Seating for Council Members should be rotated.

There should be no cheering, jeering or applauding during Council meetings, except as a part of ceremonial presentations.

A method should be devised to alert the Mayor when a Member of Council wishes to speak.

There being no further business, the Mayor declared the meeting adjourned at 5:20 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor

C-2

**CITY OF ROANOKE
OFFICE OF THE MAYOR**

215 CHURCH AVENUE, S.W., ROOM 452

ROANOKE, VIRGINIA 24011-1594

TELEPHONE: (540) 853-2444

FAX: (540) 853-1145

RALPH K. SMITH
Mayor

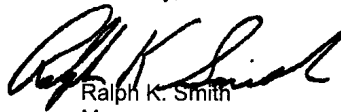
December 17, 2001

The Honorable Vice-Mayor and
Members of the Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

I wish to request a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

Sincerely,



Ralph K. Smith
Mayor

RKS:sm

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C-3

**CITY OF ROANOKE
OFFICE OF THE MAYOR**

215 CHURCH AVENUE, S.W., ROOM 452
ROANOKE, VIRGINIA 24011-1594
TELEPHONE: (540) 853-2444
FAX: (540) 853-1145

RALPH K. SMITH
Mayor


December 17, 2001

The Honorable Vice-Mayor and
Members of the Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

I wish to request a Closed Meeting to discuss a vacancy on personnel matter, specifically an interview for an appointment to the Industrial Development Authority of the City of Roanoke, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950) as amended.

Sincerely,



Ralph K. Smith
Mayor

RKS:sm

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C-4

CITY OF ROANOKE
CITY COUNCIL

215 Church Avenue, S.W., Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

RALPH K. SMITH
Mayor

Council Members:
William D. Bestpitch
William H. Carder
C. Nelson Harris
W. Alvin Hudson, Jr.
William White, Sr.
Linda F. Wyatt

December 17, 2001


The Honorable Mayor and Members
Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Pursuant to Section 2.1-344 (A) (1), Code of Virginia, (1950), as amended, I am requesting that Council convene in a Closed Session to discuss the appointment of a new Director of Finance, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

With kindest regards, I am

Sincerely,



C. Nelson Harris, Chair
Personnel Committee

CNH:sm

MINUTES OF ROANOKE CITY COUNCIL AUDIT COMMITTEE

C-5

December 3, 2001**1. CALL TO ORDER:**

The meeting of the Roanoke City Audit Committee was called to order at 11:05 a.m. on Monday, December 3, 2001, with Chairman, William White, Sr., presiding.

- The roll was called by Mrs. Powers

Audit Committee

Members Present: William White, Sr., Chairman
Mayor Ralph K. Smith
C. Nelson Harris
W. Alvin Hudson
Linda F. Wyatt

Others Present: Drew Harmon, Municipal Auditor
Darlene L. Burcham, City Manager
George C. Snead, Jr., Assistant City Manager for Operations
Rolanda Johnson, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Jesse A. Hall, Deputy Director of Finance
Ann Shawver, Manager Accounting Services
Mike Tuck, Senior Auditor
Pamela C. Mosdell, Senior Auditor
Kevin A. Nicholson, Senior Auditor
Brian M. Garber, Auditor
Evelyn W. Powers, Administrative Assistant
M. Douglas McQuade, KPMG
R. James Barker, KPMG
Todd Jackson, Roanoke Times Reporter

2. FINANCIAL AUDITS:**KPMG June 30, 2001 Reports:**

- A. City of Roanoke Letter of Recommendations on Procedures and Controls
- B. City of Roanoke Report to the Audit Committee
- C. City of Roanoke Pension Plan Letter to the Pension Committee
- D. City of Roanoke Independent Accountant's Report on Applying Agreed-Upon Procedures

Mr. White ordered that the financial audits be received and filed. There were no objections to the order. Mr. White recognized Mr. McQuade from KPMG for comments.

Audit Committee Minutes

Page 2

Mr. McQuade briefed the Committee on the reports. There were no questions from the Committee.

3. PERFORMANCE AUDITS:

- A. Fire-EMS – Fuel Management
- B. Information Center
- C. Facilities Management
- D. Fleet Management

Mr. White ordered that the performance audits be received and filed. There were no objections to the order. Mr. White recognized Mr. Harmon for comments. Mr. Harmon recognized each auditor who performed each of the performance audits. Due to the lack of time and the length of the agenda, Mr. Harmon introduced the Fuel Management audit and opened the floor up for questions from the Committee. Mr. Hudson stated that he agreed with the Municipal Auditor's recommendations and hoped that a better system would be followed. Mr. White concurred with Mr. Hudson and said that he was going to look at the City Manager to comment on all of the performance audits. Ms. Burcham said that the City administration was looking at different ways to handle fuel. She said that she would like to see all vehicles under one system and possibly purchasing the fuel from an outside vendor. Mr. White questioned any up-front cost to the City. Ms. Burcham said that cost was difficult to identify at this time; however, using private vendors should not generate any cost to the City.

Mr. Harmon introduced the Information Center audit. Mr. White questioned the security issues in the Information Center audit. Ms. Burcham said that this area does need work and that Mr. Slone is currently working the security issues. Ms. Burcham assured the Committee that this issue will not be on the agenda in the future. Mr. Harmon stated that the audit started as a user support audit and that security was a side issue. Mr. Harmon concurred with Ms. Burcham's comments and said that the Information Center was doing a good job.

Mr. Harmon introduced the Facilities Management audit. Mr. Hudson expressed a concern for the inadequate controls in the Facilities Audit and said that he would leave this area to the City Manager to address. Mr. Harris questioned if there someone on the City's staff to take care of the environmental OSHA issues mentioned in the report. Ms. Burcham said that this would come under Cary Lester, the City's Environmental Administrator. She said that the City has hired an Assistant to work with Cary, and that he is aware of this situation. Mr. White said that this was a serious situation for the City to be working without a contract. Mr. White said that he had told minority vendors that they would have the opportunity to bid on the work that the current vendor is now doing for the City. Mr. White wanted to know how did we break down and not have a contract. Mr. Grisso explained to the Committee how his people pay invoices with a Department Manager's approval as long as the invoice is under \$25,000. Ms. Burcham said that when she first reviewed the draft report she was very distressed. She said that she is pleased with the audit function because an audit like this identifies these

types of problems. She said that this is the value of an audit department. Ms. Burcham said that she wants OMB and Finance to meet and put together procedures for handling contracts and making sure a contract is done before the first invoice is paid. Ms. Burcham said that there was a bid in yesterday's paper for the cleaning service contract. Ms. Burcham said that they have added approximately 90,000 square feet of cleaning to the bid to include all Library branches and the Recreation Centers. Ms. Burcham said that the audit has raised concerns and that immediate changes will be made. She said that with the retirement of Doc Roupe, she has given this assignment to Chip Snead for his immediate attention.

Mr. Harmon introduced the Fleet Management audit. Mayor Smith alerted to the City's purchasing practices having too many loop holes, and using the good old-boy system for a long time. He said that we need to look at the procurement methods. Mr. Hudson said that the fleet management area is the most loosely run department the City has. He stated that this is a problem that has been around for a long time and that this audit backs up his past concerns. Mr. Harris echoed Mr. Hudson's concerns. Mr. Harris asked when this audit would be reviewed again for improvements. Ms. Burcham said that this would be brought back again at year-end with the Audit Findings Follow-Up. Ms. Burcham said that Chip Snead was taking this area over also. She informed the Committee that a Comprehensive Review Team has been formed and is working on these issues. Ms. Burcham said that she thought some of the functions should be privatized, while not sure about all the functions. Ms. Burcham said that Fleet Management and procurement will be consuming a significant amount of her time and Mr. Snead's time. Mr. Harmon reported to the Committee that a follow-up on all audit reports will be done at June 30, 2001, and reported to the Committee at the October, 2002 Audit Committee meeting. Mrs. Wyatt stated that she hoped that the employees in Fleet Management would be given the opportunity to bid on the functions performed by the department. She felt that privatizing was not always the best because sometimes you lose control and the vendors could hold the City captive when supplies needed became critical. Mrs. Wyatt said she wanted the City employees to have the same opportunity, as you would give a vendor. Mayor Smith stated that the City has lost control. He was very concerned with having 11 repair orders per vehicle. Mayor Smith suggested that the department is ignoring their own computerized system. He said that the City needs to have true direct repairs in categories by vehicle type. Mr. Hudson said he was surprised that there are so many repairs orders when the City has so many new pieces of equipment and vehicles. Mr. Hudson said he thought the repair orders would be coming down. Mrs. Wyatt asked if the employees were properly trained on how to use the computer systems, and suggested that the problem might be in how departments charge each other. Mr. White said that he was positive that the City Manager will work on all these areas and bring forward positive changes.

4. SPECIAL INVESTIGATION:

A. Police Department D.A.R.E. Account

Mr. White ordered that the special investigation audit be received and filed. There were no objections to the order. Mr. White recognized Mr. Harmon for comments. Mr.

Harmon reported to the Committee that there was no wrong-doing and that management was taking care of the issues. There were no questions from the Committee.

5. UNFINISHED BUSINESS:

- A. School Board Engagement Letter
- B. School Board Annual Audit Plan for FY2002

Mr. White asked the Committee for a motion and a second regarding the School Board Engagement Letter. Mr. Harmon told the Committee that he believes the Engagement Letter is a good one and ask for questions. There were no questions. The motion was made by Mr. Harris and seconded by Mrs. Wyatt to concur with the School's Boards approval of the Engagement Letter. The motion was approved unanimously.

Mr. White asked the Committee for a motion and a second regarding the School Board Annual Audit Plan for FY2002. There were no comments or questions. The motion was made by Mr. Harris and seconded by Mr. Hudson to concur with the approval of the Annual Audit Plan for FY2002. The motion was approved unanimously.

6. NEW BUSINESS:

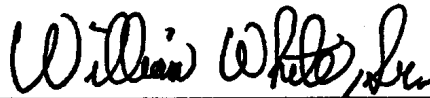
- A. Update on City's Audit Plan
- B. Briefing on Audit Department's Website

Mr. White recognized Mr. Harmon for comments. Mr. Harmon told the Committee that the Alright Parking contract was coming up for renewal and he was going to do a controls evaluation audit on parking.

Mr. Harmon told the Committee that the Audit department is working on a department Website and hoped to have it out on the site by mid-January.

7. ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:50 a.m.



William White, Sr., Chairman

MINUTES OF GREATER ROANOKE TRANSIT COMPANY AUDIT COMMITTEE

C-6

December 3, 2001

1. Call to order:

The meeting of the GRTC Audit Committee was called to order at 11:00 a.m. on December 3, 2001, with Chairman, William White, Sr., presiding.

The roll was called by Mrs. Powers.

Audit Committee

Members Present: William White, Sr., Chairman
 Mayor Ralph K. Smith
 C. Nelson Harris
 W. Alvin Hudson
 Linda F. Wyatt

Others Present: Drew Harmon, Municipal Auditor
 Darlene L. Burcham, City Manager
 James D. Grisso, Director of Finance
 William M. Hackworth, City Attorney
 George C. Snead, Jr., Asst. City Manager for Operations
 Jesse A. Hall, Deputy Director of Finance
 Ann Shawver, Manager Accounting Services
 David Morgan, General Manager, GRTC
 Mike Tuck, Senior Auditor
 Pamela C. Mosdell, Senior Auditor
 Kevin A. Nicholson, Senior Auditor
 Brian M. Garber, Auditor
 Evelyn W. Powers, Administrative Assistant
 M. Douglas McQuade, KPMG
 R. James Barker, KPMG
 Todd Jackson, Roanoke Times Reporter

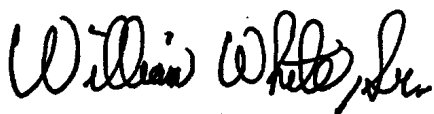
2. FINANCIAL AUDITS - KPMG Reports:

- A. GRTC - Transit Operation Financial Statements - 6/30/01 and 2000
- B. GRTC - Report to Board of Directors - 6/30/01
- C. Southwestern Virginia Transit Management Company, Inc. Retirement Plan Financial Statements and Schedules - 12/31/00 and 1999
- D. Southwestern Virginia Transit Management Company, Inc. Retirement Plan - Letter to Pension Committee - 12/31/00

Mr. White ordered that the financial audit reports be received and filed. There were no objections to the order. There were no questions.

3. ADJOURNMENT:

There being no further business, the meeting adjourned at 11:05 a.m.

A handwritten signature in black ink, appearing to read "William White, Sr.", written in a cursive style.

William White, Sr., Chairman

C-7

Hotel Roanoke Conference Center Commission

John H. Parrott, Chairman
 Minnis E. Ridenour, Vice Chairman
 Raymond D. Smoot, Jr., Secretary
 James D. Grisso, Treasurer
 William White, Sr.
 C. Clark Jones
 Deborah J. Moses, Director

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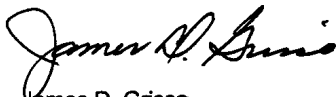
December 17, 2001

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

It has indeed been an honor to serve as a Commissioner of the Hotel Roanoke Conference Center Commission. My current appointment was through April 12, 2004, therefore, please consider this my resignation as one of your appointed commissioners, effective January 31, 2002.

Respectfully,



James D. Grisso,
 Treasurer, HRCCC

c: ✓ Mary F. Parker, City Clerk
 John H. Parrott, Chairman, HRCCC
 Minnis E. Ridenour, Vice Chairman, HRCCC
 Raymond D. Smoot, Jr., Secretary
 William White, Sr., Commissioner, HRCCC
 C. Clark Jones, Commissioner, HRCCC
 Debbie J. Moses, Executive Director, HRCCC

106 Shenandoah Avenue, S.W., Roanoke, Virginia 24016
 (540) 853-8285 - Telephone
 (540) 853-8299 - Facsimile

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C-8

**CITY OF ROANOKE
OFFICE OF CITY CLERK**

215 Church Avenue, S.W., Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145
E-mail: clerk@ci.roanoke.va.us

MARY F. PARKER, CMC
City Clerk

STEPHANIE M. MOON
Deputy City Clerk

December 17, 2001

The Honorable Mayor and Members of
the Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Mr. Eugene Wirt, Jr., Member, Roanoke Public Library Board, has resigned from his position, effective immediately. Mr. Wirt requested that I express appreciation to the Members of Council for the opportunity to serve on the Library Board.

With kindest personal regards, I am

Sincerely,



Mary F. Parker, CMC
City Clerk

MFP:sm

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C-9

RECEIVED
CITY CLERKS OFFICE

Roanoke City Electoral Board

'01 DEC -5 p 1
Carl T. Tinsley, Sr., Chairman
Frances V. Garland, Vice Chairman
Gilbert E. Butler, Jr., Secretary

December 5, 2001

Mrs. Mary F. Parker
City Clerk
Room 454, Municipal Building
Roanoke, VA 24011

Dear Mrs. Parker:

Pursuant to Section 24.2 - 675 of the Virginia Election Laws, attached is a certified copy of the abstract of votes cast in the General Election held in the City of Roanoke on November 6, 2001.

Yours Truly,

Gilbert E. Butler, Jr., Secretary
Roanoke City Electoral Board

GEB, JR. / byb

Attachment

Room 109, Municipal North 215 Church Avenue, S.W., Roanoke, Virginia 24011 (540) 853-2281 Fax (540) 853-1025
P.O. Box 1095, Roanoke, Virginia 24005

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ABSTRACT OF VOTES

cast in the City Of Roanoke, Virginia,
at the November 6, 2001 General Election, for:

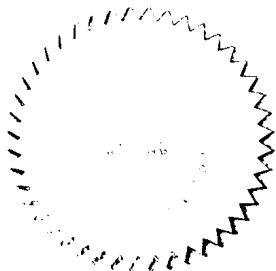
GOVERNOR

<small>NAMES OF CANDIDATES WITH PARTY ID AS SHOWN ON BALLOT</small>	<small>TOTAL VOTES RECEIVED (IN FIGURES)</small>
<u>MARK L. EARLEY (R)</u>	<u>9,147</u>
<u>MARK R. WARNER (D)</u>	<u>15,348</u>
<u>WILLIAM B. REDPATH (L)</u>	<u>204</u>
.....
Total Write-In Votes [SEE WRITE-INS CERTIFICATION]	<u>0</u>
Total Number Of Overvotes For Office	<u>0</u>
Total Number Of Undervotes For Office	<u>175</u>

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the office indicated above.

Given under our hands this 8th day of November, 2001.

A copy testis:



Carl L. Trinsley Chairman

Francis T. Bernard Vice Chairman

[Signature] Secretary

[Signature] Secretary, Electoral Board

ABSTRACT OF VOTES

cast in the City Of Roanoke, Virginia,
at the November 6, 2001 General Election, for:

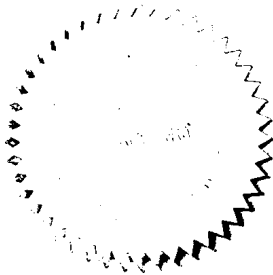
LIEUTENANT GOVERNOR

<small>NAMES OF CANDIDATES WITH PARTY ID AS SHOWN ON BALLOT</small>	<small>TOTAL VOTES RECEIVED (IN FIGURES)</small>
<u>JAY K. KATZEN (R)</u>	<u>9,154</u>
<u>TIMOTHY M. KAINE (D)</u>	<u>14,328</u>
<u>GARY A. REAMS (L)</u>	<u>383</u>
.....
Total Write-In Votes [SEE WRITE-INS CERTIFICATION]	<u>0</u>
Total Number Of Overvotes For Office	<u>0</u>
Total Number Of Undervotes For Office	<u>1,009</u>

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the office indicated above.

Given under our hands this 8th day of November, 2001.

A copy testec



Carl J. Finley Chairman

Francis J. Barkard Vice Chairman

[Signature] Secretary

[Signature] Secretary, Electoral Board

ABSTRACT OF VOTES

cast in the City Of Roanoke, Virginia,
at the November 6, 2001 General Election, for:

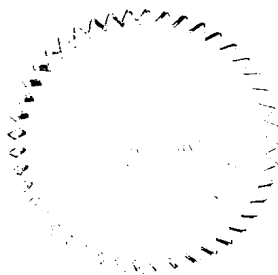
ATTORNEY GENERAL

<small>NAMES OF CANDIDATES WITH PARTY ID AS SHOWN ON BALLOT</small>	<small>TOTAL VOTES RECEIVED (IN FIGURES)</small>
<u>JERRY W. KILGORE (R)</u>	<u>12,673</u>
<u>A. DONALD McEACHIN (D)</u>	<u>11,328</u>
.....	
.....	
Total Write-In Votes [SEE WRITE-INS CERTIFICATION]	<u>4</u>
Total Number Of Overvotes For Office	<u>0</u>
Total Number Of Undervotes For Office	<u>869</u>

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the office indicated above.

Given under our hands this 8th day of November, 2001.

A copy test:



Carl J. Jinsley Chairman

Francis J. Garland Vice Chairman

[Signature] Secretary

[Signature] Secretary, Electoral Board

WRITE-INS CERTIFICATION

ROANOKE

☐ COUNTY☒ CITY☒ General ☐ Special ElectionAttorney General

OFFICE TITLE

November 6, 2001

Page 1 of 1

DISTRICT NAME OR NUMBER, IF APPLICABLE

TOTAL VOTES
RECEIVED
(In Pounds)**WRITE-INS - SUMMARY**

1. Invalid Write-Ins	3	ENTER TOTAL INVALID
2. Valid Write-Ins	1	ENTER TOTAL VALID
3. Total Write-Ins	4	ADD LINES 1 AND 2
[ENTER THIS FIGURE ON LINE FOR TOTAL WRITE-IN VOTES ON ABSTRACT FOR THIS OFFICE.]		

VALID WRITE-INS - DETAIL

LIST VALID WRITE-INS IN ALPHABETICAL ORDER BELOW AND ON CONTINUATION PAGES, AS NEEDED. ALL VALID WRITE-INS WHEN ADDED TOGETHER MUST EQUAL TOTAL ENTERED ON LINE 2 ABOVE.

TOTAL VOTES
RECEIVED
(In Pounds)

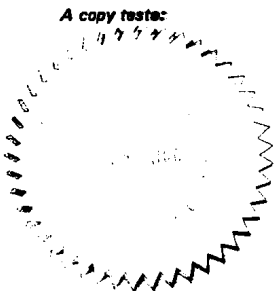
<u>John Edwards</u>	1
.....	
.....	
.....	
.....	

CONTINUED ON PAGES _____ THROUGH _____

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that, with the continuation pages indicated, the above is a true and correct certification of the write-in votes cast at said election for the office indicated above.

Given under our hands this 8th day of November, 2001.

A copy testec



Carl J. Insley Chairman

Frances V. Garland Vice Chairman

[Signature] Secretary

[Signature] Secretary, Electoral Board

ABSTRACT OF VOTES

cast in the City Of Roanoke, Virginia,
at the November 6, 2001 General Election, for:

**MEMBER
HOUSE OF DELEGATES**

11th
ENTER DISTRICT NUMBER

NAMES OF CANDIDATES WITH PARTY ID AS SHOWN ON BALLOT

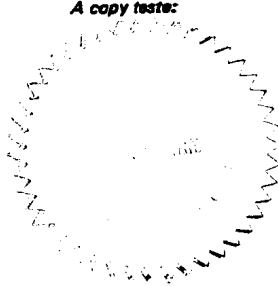
TOTAL VOTES
RECEIVED
(IN FIGURES)

<u>Clifton A. "Chip" Woodrum</u>	<u>9,139</u>
.....
.....
.....
Total Write-In Votes (SEE WRITE-INS CERTIFICATION)	<u>4</u>
Total Number Of Overvotes For Office	<u>0</u>
Total Number Of Undervotes For Office	<u>4,923</u>

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the office indicated above.

Given under our hands this 8th day of November, 2001.

A copy test:



Carl J. Finley, Chairman

James H. Garland, Vice Chairman

[Signature], Secretary

[Signature], Secretary, Electoral Board

WRITE-INS CERTIFICATION

ROANOKE
☐ COUNTY ☒ CITY
Member House Of Delegates
 OFFICE TITLE
11th
 DISTRICT NAME OR NUMBER, IF APPLICABLE

☒ General ☐ Special Election

November 6, 2001

Page 1 of 1

WRITE-INS - SUMMARY

1. Invalid Write-Ins	<u>4</u>	
	ENTER TOTAL INVALID	
2. Valid Write-Ins	<u>0</u>	
	ENTER TOTAL VALID	
3. Total Write-Ins	<u>4</u>	
[ENTER THIS FIGURE ON LINE FOR TOTAL WRITE-IN VOTES ON ABSTRACT FOR THIS OFFICE.]	ADD LINES 1 AND 2	

TOTAL VOTES
RECEIVED
(IN FIGURES)

VALID WRITE-INS - DETAIL

LIST VALID WRITE-INS IN ALPHABETICAL ORDER BELOW AND ON CONTINUATION PAGES, AS NEEDED. ALL VALID WRITE-INS WHEN ADDED TOGETHER MUST EQUAL TOTAL ENTERED ON LINE 2 ABOVE.

TOTAL VOTES
RECEIVED
(IN FIGURES)

.....

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.....

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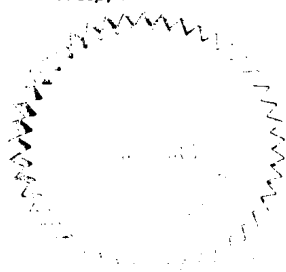
.....

CONTINUED ON PAGES _____ THROUGH _____

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that, with the continuation pages indicated, the above is a true and correct certification of the write-in votes cast at said election for the office indicated above.

Given under our hands this 8th day of November, 2001.

A copy teste:



Carl J. Insley Chairman

Frances V. Garland Vice Chairman

Dr. Bully Secretary

Asst. Bully Secretary, Electoral Board

ABSTRACT OF VOTES

cast in the City Of Roanoke, Virginia,
at the November 6, 2001 General Election, for:

**MEMBER
HOUSE OF DELEGATES**

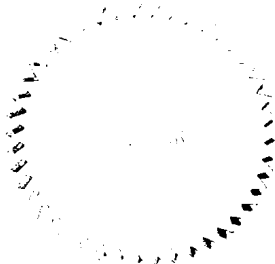
17th
ENTER DISTRICT NUMBER

NAMES OF CANDIDATES WITH PARTY ID AS SHOWN ON BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
<u>A. Victor "Vic" Thomas</u>	<u>7,345</u>
.....	
.....	
.....	
Total Write-In Votes [SEE WRITE-INS CERTIFICATION]	<u>1</u>
Total Number Of Overvotes For Office	<u>0</u>
Total Number Of Undervotes For Office	<u>3,462</u>

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the office indicated above.

Given under our hands this 8th day of November, 2001.

A copy test:



Carl J. Tinsley Chairman

James H. Garland Vice Chairman

Michael Secretary

Anthony Secretary, Electoral Board

WRITE-INS CERTIFICATION

ROANOKE
☐ COUNTY ☒ CITY
Member House Of Delegates
 OFFICE TITLE
17th
 DISTRICT NAME OR NUMBER, IF APPLICABLE

☒ General ☐ Special Election

November 6, 2001

Page 1 of 1

WRITE-INS - SUMMARY

1. Invalid Write-Ins	<u>1</u>	TOTAL VOTES RECEIVED (IN FIGURES)
	ENTER TOTAL INVALID	
2. Valid Write-Ins	<u>0</u>	
	ENTER TOTAL VALID	
3. Total Write-Ins	<u>1</u>	
[ENTER THIS FIGURE ON LINE FOR TOTAL WRITE-IN VOTES ON ABSTRACT FOR THIS OFFICE.]	ADD LINES 1 AND 2	

VALID WRITE-INS - DETAIL

LIST VALID WRITE-INS IN ALPHABETICAL ORDER BELOW AND ON CONTINUATION PAGES,
 AS NEEDED. ALL VALID WRITE-INS WHEN ADDED TOGETHER MUST EQUAL TOTAL ENTERED
 ON LINE 2 ABOVE.

TOTAL VOTES
RECEIVED
(IN FIGURES)

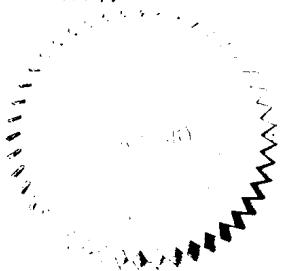
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_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CONTINUED ON PAGES _____ THROUGH _____

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that, with the continuation pages indicated, the above is a true and correct certification of the write-in votes cast at said election for the office indicated above.

Given under our hands this 8th day of November, 2001.

A copy tests:



Carl J. Insley, Chairman

Frances V. Garland, Vice Chairman

Dr. Bully, Secretary

Dr. Bully, Secretary, Electoral Board

ABSTRACT OF VOTES

cast in the City of Roanoke, Virginia,
at the November 6, 2001 General Election, for:

COMMONWEALTH'S ATTORNEY

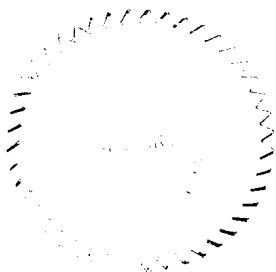
NAMES OF CANDIDATES AS SHOWN ON BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
<u>Donald S. Caldwell</u>	<u>18,349</u>
.....	
.....	
.....	
.....	
.....	
Total Write-In Votes [SEE WRITE-INS CERTIFICATION]	<u>3</u>
Total Number Of Overvotes For Office	<u>0</u>
Total Number Of Undervotes For Office	<u>6,522</u>

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do, therefore, determine and declare that the following person has received the greatest number of votes cast for the above office in said election:

Donald S. Caldwell

Given under our hands this 8th day of November, 2001.

A copy test:



Core J. Jinsley Chairman
Francis D. Garland Vice Chairman
[Signature] Secretary
[Signature] Secretary, Electoral Board

WRITE-INS CERTIFICATION

ROANOKE
☐ COUNTY ☒ CITY

☒ General ☐ Special Election

Commonwealth's Attorney
 OFFICE TITLE

November 6, 2001

DISTRICT NAME OR NUMBER, IF APPLICABLE

Page 1 of 1

WRITE-INS - SUMMARY

1. Invalid Write-Ins	3	
	ENTER TOTAL INVALID	
2. Valid Write-Ins	0	
	ENTER TOTAL VALID	
3. Total Write-Ins	3	
[ENTER THIS FIGURE ON LINE FOR TOTAL WRITE-IN VOTES ON ABSTRACT FOR THIS OFFICE.]	ADD LINES 1 AND 2	

TOTAL VOTES
 RECEIVED
 (IN FIGURES)

VALID WRITE-INS - DETAIL

LIST VALID WRITE-INS IN ALPHABETICAL ORDER BELOW AND ON CONTINUATION PAGES,
 AS NEEDED. ALL VALID WRITE-INS WHEN ADDED TOGETHER MUST EQUAL TOTAL ENTERED
 ON LINE 2 ABOVE.

TOTAL VOTES
 RECEIVED
 (IN FIGURES)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

CONTINUED ON PAGES _____ THROUGH _____

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that, with the continuation pages indicated, the above is a true and correct certification of the write-in votes cast at said election for the office indicated above.

Given under our hands this 8th day of November, 2001.

A copy testee:



Carl J. Insley Chairman

Frances V. Garland Vice Chairman

[Signature] Secretary

[Signature] Secretary, Electoral Board

ABSTRACT OF VOTES

cast in the City of Roanoke, Virginia,
at the November 6, 2001 General Election, for:

SHERIFF

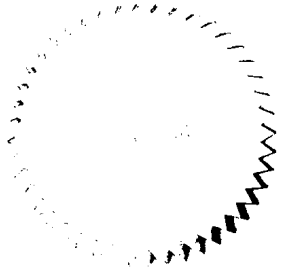
<small>NAMES OF CANDIDATES AS SHOWN ON BALLOT</small>	<small>TOTAL VOTES RECEIVED (IN FIGURES)</small>
<u>Octavia L. Johnson</u>	<u>9,278</u>
<u>George M. McMillan</u>	<u>13,857</u>
.....
.....
.....
.....
Total Write-In Votes [SEE WRITE-INS CERTIFICATION]	<u>0</u>
Total Number Of Overvotes For Office	<u>0</u>
Total Number Of Undervotes For Office	<u>1,739</u>

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do, therefore, determine and declare that the following person has received the greatest number of votes cast for the above office in said election:

George M. McMillan

Given under our hands this 8th day of November, 2001.

A copy test:



Carl Z. Insley Chairman

Frances T. Garland Vice Chairman

[Signature] Secretary

[Signature] Secretary, Electoral Board

ABSTRACT OF VOTES

cast in the City of Roanoke, Virginia,
at the November 6, 2001 General Election, for:

COMMISSIONER OF REVENUE

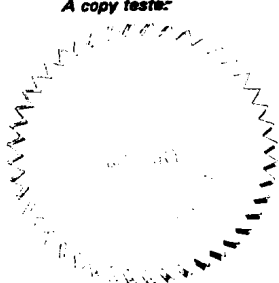
<small>NAMES OF CANDIDATES AS SHOWN ON BALLOT</small>	<small>TOTAL VOTES RECEIVED (IN FIGURES)</small>
<u>J. Patrick H. Green</u>	<u>7,762</u>
<u>Sherman A. Holland</u>	<u>14,325</u>
.....
.....
.....
.....
Total Write-In Votes [SEE WRITE-INS CERTIFICATION]	<u>1</u>
Total Number Of Overvotes For Office	<u>0</u>
Total Number Of Undervotes For Office	<u>2,786</u>

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do, therefore, determine and declare that the following person has received the greatest number of votes cast for the above office in said election:

Sherman A. Holland

Given under our hands this 8th day of November, 2001.

A copy testee:



Carl J. Jinsley Chairman

Frances T. Berland Vice Chairman

[Signature] Secretary

[Signature] Secretary, Electoral Board

WRITE-INS CERTIFICATION

ROANOKE
☐ COUNTY ☒ CITY

☒ General ☐ Special Election

Commissioner Of Revenue
 OFFICE TITLE

November 6, 2001

DISTRICT NAME OR NUMBER, IF APPLICABLE

Page 1 of 1

**TOTAL VOTES
 RECEIVED
 (IN FIGURES)**

WRITE-INS - SUMMARY

1. Invalid Write-Ins	1
	ENTER TOTAL INVALID
2. Valid Write-Ins	0
	ENTER TOTAL VALID
3. Total Write-Ins	1
[ENTER THIS FIGURE ON LINE FOR TOTAL WRITE-IN VOTES ON ABSTRACT FOR THIS OFFICE.]	ADD LINES 1 AND 2

VALID WRITE-INS - DETAIL

LIST VALID WRITE-INS IN ALPHABETICAL ORDER BELOW AND ON CONTINUATION PAGES, AS NEEDED. ALL VALID WRITE-INS WHEN ADDED TOGETHER MUST EQUAL TOTAL ENTERED ON LINE 2 ABOVE.

**TOTAL VOTES
 RECEIVED
 (IN FIGURES)**

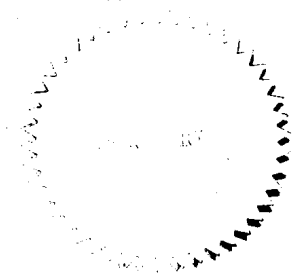
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

CONTINUED ON PAGES _____ THROUGH _____

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that, with the continuation pages indicated, the above is a true and correct certification of the write-in votes cast at said election for the office indicated above.

Given under our hands this 8th day of November, 2001.

A copy testee:



Paul J. Imaley Chairman

Frances V. Garland Vice Chairman

J. S. Sully Secretary

A. M. M. M. Secretary, Electoral Board

ABSTRACT OF VOTES

cast in the City of Roanoke, Virginia,
at the November 6, 2001 General Election, for:

TREASURER

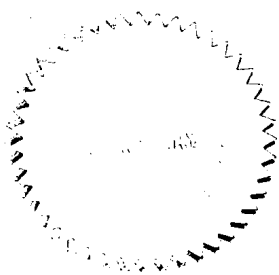
NAMES OF CANDIDATES AS SHOWN ON BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
<u>David C. Anderson</u>	<u>19,758</u>
.....	
.....	
.....	
.....	
.....	
Total Write-In Votes [SEE WRITE-INS CERTIFICATION]	<u>4</u>
Total Number Of Overvotes For Office	<u>0</u>
Total Number Of Undervotes For Office	<u>5,112</u>

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do, therefore, determine and declare that the following person has received the greatest number of votes cast for the above office in said election:

David C. Anderson

Given under our hands this 8th day of November, 2001.

A copy testee:



Carl J. Tinsley Chairman
Francis T. Barkus Vice Chairman
[Signature] Secretary
[Signature] Secretary, Electoral Board

WRITE-INS CERTIFICATION

ROANOKE

☐ COUNTY☒ CITY☒ General ☐ Special Election

Treasurer

OFFICE TITLE

November 6, 2001

Page 1 of 1

DISTRICT NAME OR NUMBER, IF APPLICABLE

TOTAL VOTES
RECEIVED
(IN FIGURES)**WRITE-INS - SUMMARY**

1. Invalid Write-Ins	3
	ENTER TOTAL INVALID
2. Valid Write-Ins	1
	ENTER TOTAL VALID
3. Total Write-Ins	4
[ENTER THIS FIGURE ON LINE FOR TOTAL WRITE-IN VOTES ON ABSTRACT FOR THIS OFFICE.]	ADD LINES 1 AND 2

VALID WRITE-INS - DETAIL

LIST VALID WRITE-INS IN ALPHABETICAL ORDER BELOW AND ON CONTINUATION PAGES, AS NEEDED. ALL VALID WRITE-INS WHEN ADDED TOGETHER MUST EQUAL TOTAL ENTERED ON LINE 2 ABOVE.

TOTAL VOTES
RECEIVED
(IN FIGURES)

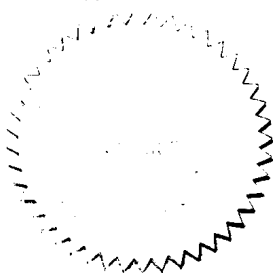
Frank Smith	1
.....	
.....	
.....	
.....	

CONTINUED ON PAGES ____ THROUGH ____

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 6, 2001, do hereby certify that, with the continuation pages indicated, the above is a true and correct certification of the write-in votes cast at said election for the office indicated above:

Given under our hands this 8th day of November, 2001.

A copy test:



Carl J. Insley Chairman

Frances V. Garland Vice Chairman

[Signature] Secretary

[Signature] Secretary, Electoral Board

5.a.

CITY OF ROANOKE
CITY COUNCIL

215 Church Avenue, S.W., Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

RALPH K. SMITH
Mayor

Council Members:
William D. Bestpitch
William H. Carder
C. Nelson Harris
W. Alvin Hudson, Jr.
William White, Sr.
Linda F. Wyatt

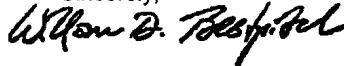
December 13, 2001

The Honorable Mayor and Members
of Roanoke City Council
Roanoke, Virginia

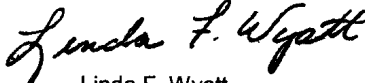
Dear Mayor Smith and Members of Council:

We jointly sponsor a request of Blue Ridge Behavioral Healthcare to present information on services provided to Roanoke City residents during fiscal year 2001 at the regular meeting of City Council on Monday, December 17, 2001, at 2:00 p.m.

Sincerely,



William D. Bestpitch
Council Member



Linda F. Wyatt
Council Member

WDB:LFW:sm

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Blue Ridge Behavioral Healthcare

William L. Lee *Chairman*
Meredith B. Waid *Vice Chairman*
John M. Hudgins, Jr. *Treasurer*
Rita J. Gliniecki *Secretary*
Executive Director
S. James Sikkema, LCSW

5.a.

November 5, 2001

Ms. Darlene L. Burcham
City Manager
City of Roanoke
215 Church Avenue, SW
Roanoke, VA 24011

Dear Ms. Burcham:

Blue Ridge Behavioral Healthcare would like to request time on the agenda of the Roanoke City Council meeting on December 17, 2001, to give a brief report about the services we provided to Roanoke City residents in fiscal year 2001.

A board member representing the City of Roanoke will deliver our report. Our Executive Director, Mr. Jim Sikkema, will also be present to answer questions.

We appreciate this annual opportunity to share information about our services and to say 'thank you'.

Sincerely,

John T. Plichta
Director of Administrative Services

C: The Honorable Ralph K. Smith, Mayor
Mary F. Parker, Clerk
S. James Sikkema

NOV - 7 P2:25

RECEIVED
CITY CLERKS OFFICE

Executive Offices 301 Elm Avenue SW Roanoke, Virginia 24016-4001 (540) 345-9841 Fax (540) 345-6891

The Community Services Board serving the Cities of Roanoke and Salem, and the Counties of Botetourt, Craig and Roanoke

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BLUE RIDGE BEHAVIORAL HEALTHCARE

MISSION STATEMENT

The mission of Blue Ridge Behavioral Healthcare is to support and promote the health, independence and self-worth of individuals and families impacted by mental illness, mental retardation and substance abuse by providing quality, community-based services that are responsive to the individual's needs.

***Report to the City Council of the
City of Roanoke
December 17, 2001***

Blue Ridge Behavioral Healthcare
Program Highlights - City of Roanoke

- July 1, 2000 - June 30, 2001

This report is offered to provide you with information specific to our involvement with citizens of Roanoke. We cover that in the next few pages. But we also want to call your attention to our Annual Report, which we hope you will read for a more global understanding of our agency and the scope of our work throughout the Roanoke Valley.

In fiscal year 2001, Blue Ridge Behavioral Healthcare staff delivered 316,871 units of service to 10,582 Roanoke residents. The value of those services was \$11,214,594. The City's FY 2001 local tax contribution to agency operations was \$389,708. That means that Roanoke residents received \$28.78 worth of services for each tax dollar allocated to the Community Services Board.

The following are examples of how Blue Ridge is working for the City of Roanoke:

Assessment & Counseling Services is the single gateway to agency services, crisis response, comprehensive assessment, and short-term interventions for all mental disabilities.

- ❖ Individuals and agencies who refer to our system of care have in the past often commented on the difficulty of knowing how to access the most appropriate service. As part of our *Renewal 2000* restructuring of services, BRBH opened *The Assessment Center*, providing one, consumer-oriented means of access to all of our clinical services. Intake and assessment services are provided to all consumers, of all ages, and with all disabilities. The center is located at 1729 Patterson Avenue in Roanoke.
- ❖ Jail Assessment & Treatment Services provides a full array of substance abuse services to inmates of the Roanoke City Jail, including modified therapeutic communities for both men and women. Funding targeted specifically for substance abuse prohibits

us from addressing the critical needs of inmates with mental illness. BRBH developed a proposal for a pilot program to provide mental health assessment, treatment, crisis counseling, psychiatric care, appropriate medications, and case management to inmates. Efforts to secure pilot funding from the General Assembly have been unsuccessful so far, but we will continue to lobby for funding of important services such as these.

Child and Family Services provides a continuum of prevention, early intervention, and therapeutic services and supports for families with children who are at risk of developing or who have serious emotional disorders, mental retardation and substance use disorders.

- ❖ Substance abuse treatment staff have contracted with the 23-A District Court Service Unit to provide intensive outpatient services for adolescents referred for treatment. SABRE (Substance Abuse Reduction Efforts) funds from the state Department of Juvenile Justice cover the costs of these services with no cost to families.
- ❖ BRBH has amended the contractual agreement with Lewis-Gale Medical Center to add inpatient detoxification services to the psychiatric crisis stabilization services already under contract through the KOKAH (Keeping Our Kids at Home) program. These services are available to adolescents who are residents of the City of Roanoke as well as the other localities in our catchment area.
- ❖ Prevention staff worked with the Roanoke City Prevention Planning Team to review various data to determine priority risk factors in Roanoke and to develop a proposal for corresponding services through the Governor's Office for Substance Abuse Prevention. That proposal, which was part of a regional effort, was funded and is being implemented this fiscal year.
- ❖ The Day Treatment Program continued to provide day treatment services on-site at four Roanoke elementary schools – Fallon Park, Highland Park, Lincoln Terrace, and RAMS. These services help to maintain children in the public school system.

Community Support Services provides the necessary services and supports to consumers with long-term mental disabilities to maximize each individual's potential for independence, improved quality of life, and optimum level of functioning.

- ❖ During FY 2001 we designated our full time staff psychiatrist as the agency medical director. He works with adults of all disabilities, and provides oversight to psychiatric services across the whole agency.
- ❖ Our Mental Retardation residential programs operated at full capacity in FY 2001. A third resident relocated from the Central Virginia Training Center to our Autumn Lane home, filling the only existing vacancy at that facility.
- ❖ BRBH provides services to homeless individuals with mental illness with a half-time staff position funded by a Federal PATH Grant (Projects Assisting in the Transition from Homelessness) managed by the Department of Mental Health, Mental Retardation and Substance Abuse Services. Attempting to build relationships and trust, with the goal of engaging these individuals in mainstream mental health services, staff served 87 homeless individuals in FY '01, and has already identified an additional 75 people in the first Quarter of FY '02. As might be expected, the vast majority of these individuals are identified on the streets and in the shelters in Roanoke City.
- ❖ Staff of MHSS and Assessment and Counseling Services are working in cooperation with the Blue Ridge Housing Corporation and providing services for residents of Roanoke City Single Room Occupancy (SRO) units who are experiencing both Mental Health and Substance Abuse problems. Working with two of the SRO's, one male and one female serving 15 residents total, BRBH provides training and support related to independent living skills and medication management in conjunction with the provision of therapeutic and educational services targeted at identified substance abuse problems.

On the following page is a table that displays Service data for the City of Roanoke in the manner the Department of Mental Health, Mental Retardation, and Substance Abuse Services requires of us. It shows in summary: Roanoke's clients seen according to service, the number of units of each type of service delivered, an indicator as to whether a given service unit is an hour, a day, etc., and the total cost of each type of service.

Blue Ridge Behavioral Healthcare				
Directly Funded Programs – FY 2001 Performance Report				
City of Roanoke				
	Unduplicated Client Count (by Service)	Number of Units	Units of Service	Total Cost of Services
Mental Health Services				
Emergency Services	1,012	8,414	SH	393,816
Outpatient Services	1,069	17,271	SH	1,112,543
Intensive In-Home Services	58	7,920	SH	499,568
Case Management Services	473	10,351	SH	664,223
Children's Day Treatment	56	18,391	DSH	436,430
Rehabilitation (Mountain House)	89	17,128	DSH	249,020
Alternative Day Support	53	712	DSH	9,750
Supportive Residential Services	64	2,809	SH	164,398
Assertive Community Treatment (ALF)	121	2,146	SH	411,913
Assertive Community Treatment (PACT)	66	353	SH	695,467
Purchase of Individualized Svcs (POIS)	2			46,000
MH Subtotal	3,063	92,473		\$4,683,128
Mental Retardation Services				
Case Management Services	393	11,389	SH	592,167
Alternative Day Support	151	4,379	D	77,581
Rehabilitation	11	403	DSH	135,937
Supported Employment	16	821	SH	33,278
Congregate Residential Services	37	137,955	BD	1,783,789
Supervised Residential Services	8	937	BD	107,349
Supportive Residential Services	111	12,401	SH	188,121
Family Support	54	137	F	69,379
MR Subtotal	781	168,422		\$2,987,601
Substance Abuse Services				
Outpatient Services	675	11,519	SH	679,852
Case Management Services	1,269	14,405	SH	978,472
Day Treatment Services	80	6,629	DSH	132,872
Highly Intensive Residential Services	334	1,706	BD	404,021
Intensive Residential	223	9,213	BD	680,414
Alternative Day Support	162	5,325	SH	253,453
SA Subtotal	2,743	48,797		\$3,129,084
Prevention Services				
MH Prevention Services	1,903	2,536	SH	138,715
SA Prevention Plus	2,092	4,643	SH	276,066
Prevention Subtotal	3,995	7,179		\$414,781
Grand Total	10,582	316,871		\$11,214,594
FY 2001 Local Tax Share				\$389,708
Service / Local Dollar				\$28.78

Units of Service: SH = Service Hours DSH= Day Support Hours D=Days BD=Bed Days F=Families

5.b.

CITY OF ROANOKE**CITY COUNCIL**

215 Church Avenue, S.W., Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

RALPH K. SMITH
Mayor

Council Members:
William D. Bestpitch
William H. Carder
C. Nelson Harris
W. Alvin Hudson, Jr.
William White, Sr.
Linda F. Wyatt

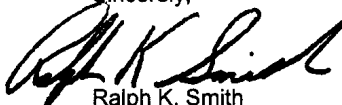
December 13, 2001

The Honorable Members
of the Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

We jointly sponsor a request of Don J. Harrison, Chair, Downtown Roanoke, Inc., to present the Annual Report of Downtown Roanoke, Inc., at the regular meeting of City Council on Monday, December 17, 2001, at 2:00 p.m.

Sincerely,



Ralph K. Smith
Mayor



William H. Carder
Vice-Mayor

RKS:WHC:sm

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5.b.



**Downtown
Roanoke Inc.**

RECEIVED
CITY CLERK'S OFFICE
Roanoke, VA 24011 • 540-342-2028 • FAX 344-1452
www.downtownroanoke.org • e-mail: dri@downtownroanoke.org

01 NOV 14 P2:13

EXECUTIVE COMMITTEE

DON J. HARRISON
First Union National Bank
Chair

M. HELEN BUTLER
Carilion Health Systems
Chair-Elect

MARYELLEN F. GOODLATTE
Glenn Feldmann Darby & Goodlatte
Immediate Past-Chair

MICHAEL E. WARNER
N & W Properties
Secretary

STEPHEN W. LEMON
Marlin Hopkins & Lemon, PC
Treasurer & Vice-Chair

MICHAEL T. DITTRICH
Pepsi Bottling Company
Vice-Chair

G. LOGAN FORSYTH
Chas. Lunaford Sons & Associates
Vice-Chair

ROBERT H. FETZER
Building Specialists, Inc.
Vice-Chair

SABRINE BLEVINS
Creative Ink Promotions
At-Large

VICTOR O. CARDWELL
Woode Rogers & Hazlegrove
At-Large

R. MATTHEW KENNEL
President

DIRECTORS

ROBERT K. BENGTSON
City of Roanoke

MICHAEL J. BRUNETTE
NewsChannel 10 (WSLS-TV)

CYNTHIA S. CASSELL
Twist & Turn

DR. DENNIS FISHER
Carilion Bio-Medical Institute

ELIJAS L. GUTSHALL
Valley Bank

TERRY HALL
American Electric Power

SONZ HART
Meridum, Inc.

JAMES N. HINSON
First Virginia Bank-Southwest

CAROLE J. HUGHES
La De Da, Inc.

F. GEOFFREY JENNINGS
Frank L. Moose Jeweler

SUSAN W. JENNINGS
The Arts Council of the Blue Ridge

F. ALLAN POLLARD, II
Comed Beef & Company

KENNETH RATTENBURY
Fret Mill Music Company

MICHAEL R. RIELEY
Verizon

MANJIT S. TOOR
Shenitzer Franklin Crawford Shaffner, Inc.

DENNIS TRAUBERT
First Citizens Bank

WILLIAM F. TRINKLE
Francis Realtors

GARY D. WALTON
Hotel Roanoke & Conference Center

MARK W. WOODS
Woods Farms

WILLIAM M. CARDER
Roanoke City Council Liaison

November 12, 2001

Ms. Mary Parker
City Clerk
215 Church Avenue, Room 456
Roanoke, VA 24011-1536

Dear Ms. Parker:

I would like to request that Mr. Don Harrison, Chairman of Downtown Roanoke Incorporated, be given approximately 10 minutes to address City Council at their 2 PM meeting on Monday, December 17th, 2001. Mr. Harrison will distribute the DRI Annual Report and provide an overview of the accomplishments of our organization for fiscal year 2001...

Please confirm with me at your earliest convenience if Mr. Harrison will be able to address council on December 17th.

Sincerely,

Matt Kennell
President

cc: Don Harrison



5.c.

CITY OF ROANOKE
CITY COUNCIL

215 Church Avenue, S.W., Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

RALPH K. SMITH
Mayor

December 13, 2001

Council Members:
William D. Bestpitch
William H. Carder
C. Nelson Harris
W. Alvin Hudson, Jr.
William White, Sr.
Linda F. Wyatt

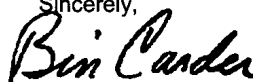
The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

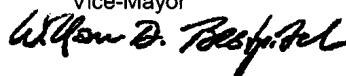
We jointly sponsor the request of Dr. E. Jeanette D. Manns to address Council on Monday, December 17, 2001, at the 2:00 p.m., session in her capacity as President of the Washington Park Neighborhood Alliance with regard to concerns of residents of Lincoln Terrace.

With kindest regards.

Sincerely,



William H. Carder
Vice-Mayor



William D. Bestpitch
Council Member

WHC:WDB:sm

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5.c.

RECEIVED
CITY CLERKS OFFICE1826 10th St. N. W.
Roanoke, Virginia 24012
December 10, 2001
DEC 10 P1:48

Mayor Ralph Smith and City Council Persons
NOEL C. TAYLOR BUILDING, 4th floor
215 Church Avenue, S. W., Room 456
ROANOKE, VIRGINIA 24011-1536

Dear Mayor Smith and City Council Persons:

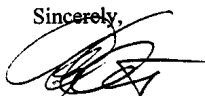
This letter is written to you to request the opportunity to come before my city officials that were elected to represent me. It is my desire to address some concerns with you that have a direct relationship to the citizens of Roanoke, Virginia.

I was under the assumption that the agenda sent to me stated there is a space for the citizens to speak. I was not aware we have to request this with the endorsement of two representatives elected to serve the citizens. Therefore, I realize this request will only be acceptable contingent upon my receiving the said endorsements.

This notice is sent in a timely manner, which is one week prior to **CITY COUNCIL** meeting. The citizens and I desire to meet with you at your council meeting Monday, December 17, 2001 at the 2.p.m. session.

Thank you for allowing us the opportunity to be heard.

Sincerely,



Dr. E. Jeanette D. Manns

cc

5.d.

CITY OF ROANOKE

CITY COUNCIL

215 Church Avenue, S.W., Room 456
 Roanoke, Virginia 24011-1536
 Telephone: (540) 853-2541
 Fax: (540) 853-1145

RALPH K. SMITH
 Mayor

Council Members:
 William D. Bestpitch
 William H. Carder
 C. Nelson Harris
 W. Alvin Hudson, Jr.
 William White, Sr.
 Linda F. Wyatt

December 17, 2001

The Honorable Mayor and Members of
 the Roanoke City Council
 Roanoke, Virginia

Dear Mayor Smith and Members of City Council:

Subject: Steering Committee,
 Neighborhood Partnership

I am attaching copy of Resolution No. 25394 adopted by Council on Monday, November 24, 1980, which established the Roanoke Neighborhood Partnership Steering Committee. Given that the Neighborhood Partnership is now 21 years old and extensive restructuring has occurred recently within City government, a review of the design, role, and responsibilities of the Steering Committee is in order.

The Roanoke Neighborhood Partnership (RNP) has grown to 26 neighborhood groups and two business associations. Three additional neighborhood groups are forming, and greater effort has been placed upon involving youth and the business community. While the RNP maintains its tradition of working closely with volunteers, training and developing neighborhood leaders, administering and managing community development grants, and serving as a liaison between neighborhoods and City government, there have been other significant changes which suggest that a review is needed:

- 1) There is a newly created Department of Housing and Neighborhood Services, of which the Neighborhood Partnership is a component. Previously, the RNP was part of the Planning Department and reported to the Director. Greater emphasis is being placed on service delivery to the neighborhoods by all City departments.

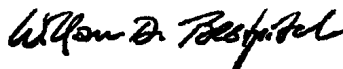
The Honorable Mayor and Members
of the Roanoke City Council
December 17, 2001
Page 2

- 2) The Coordinator's role has expanded. Effective August 1, 2001, the Coordinator's internal responsibilities include management of staff and overall operation of the Citizen's Service Center, administration of the RESPOND database, and training for City departments on the use of the RESPOND system. The City now looks to RNP to play a key role in quality assurance.
- 3) All RNP staff positions are fully funded by the City. The City has adopted the Partnership as one of its institutions.

In summary, the role of RNP within City government has changed. RNP has an expanded internal customer base represented by the various departments within City government who now look to RNP for input, assistance, and leadership in responding to community issues. At the same time, the demand from the community for training, support, mediation, and advocacy has increased as well. The primary function of the Steering Committee has been working closely with RNP staff to cultivate a "partnership" between the City and the community to address these needs. The question before us is how to best assist the Steering Committee so that the Partnership remains strong and community needs are met.

It is my recommendation that we form a committee composed of Council Members, citizens, and City staff to review the structure and role of the Roanoke Neighborhood Partnership Steering Committee.

Sincerely,



William D. Bestpitch
Council Member, and
Council Liaison, Roanoke
Neighborhood Partnership
Steering Committee

Attachment

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

The 24th day of November, 1980.

No. 25394.

A RESOLUTION establishing a Roanoke Neighborhood Partnership Steering Committee, stating the objectives and duties and responsibilities of such Committee, and providing for a method of termination of the Committee.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. There is hereby established a Roanoke Neighborhood Partnership Steering Committee with the objective of assisting the City and the management team hired by it to develop a neighborhood planning and communication process which will facilitate neighborhood revitalization, stability and improvement.
2. The duties and responsibilities of the Committee shall be to advise and assist the City and its management team in devising a Roanoke Neighborhood Partnership, which will involve public, private and non-profit resources in developing a City-wide neighborhood planning and communication process that will facilitate neighborhood revitalization, stability and improvement, and which will encourage citizen participation to the maximum extent possible.
3. The Committee shall be abolished upon resolution of the Committee at any time after the duties and responsibilities of the Committee have been fulfilled.

ATTEST:

City Clerk.

6.a.1



Office of the City Manager

December 17, 2001

Honorable Ralph K. Smith, Mayor, and Members of City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject: Briefing

This is to request space on Council's regular agenda for a 20-minute briefing on the Citizen Survey.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:ca

c: City Attorney
Director of Finance
City Clerk

6.a.2

RECEIVED
CITY CLERKS OFFICE

Office of the City Manager

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December 17, 2001

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject: Reservation of Space
Fire/EMS ISO Rating Change

Please reserve space on Council's regular agenda for a 20 minute briefing on the
Fire/EMS ISO Rating Change.

Sincerely,

Darlene L. Burcham
City Manager

sf

cc: William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Mary F. Parker, City Clerk



Office of the City Manager

December 17, 2001

The Honorable Ralph K. Smith, Mayor
The Honorable William H. Carder, Vice Mayor
Councilman William D. Bestpitch
Councilman C. Nelson Harris
Councilman W. Alvin Hudson, Jr.
Councilman William White, Sr.
Councilwoman Linda F. Wyatt

Dear Mayor Smith and Members of City Council:

Subject: Fire-EMS Strategic Plan

Background:

The Fire-EMS Department's Strategic Business Plan is based on the mission, vision and values of the department, plus national, state and local service standards. The plan is comprehensive in nature, covering most aspects of department operations and offering nine major recommendations. These nine recommendations range from routine station and equipment maintenance to relocating and constructing several fire-EMS stations. The recommendations contained in the business plan support City Council priorities of effective government, regional cooperation, improved neighborhood services and include a long-range perspective to service delivery.

Considerations:

Approval of the strategic business plan will support the mission, values and vision of the Roanoke Fire-EMS Department, meet community needs by providing quality Fire-EMS services, position the department to meet future community service needs, improve department performance, efficiency and cost effectiveness, help achieve and maintain a national accreditation certification, enhance regional cooperation, relocate several Fire-EMS stations, provide modern Fire-EMS stations to accommodate state-of-the-art Fire-EMS equipment, enhance employee work environments and employee safety, relocate Fire-EMS administrative offices, and avoid the cost of maintaining deteriorating Fire-EMS stations.

The Honorable Mayor and Members of Council
December 17, 2001
Page 2

Administratively, several aspects of the plan have already been adopted and implemented, helping to improve the city's ISO (Insurance Service Office) rating from a grade 3 to a grade 2 category city.

The plan has been publicized in the newspaper, on local radio and television, at civic group meetings and through twenty-one meetings held with neighborhood organizations and community leaders. A total of 247 individuals were present at these neighborhood meetings and individual briefings.

Two aspects of the plan that received the most comments concerned the potential loss of any positions, as well as the construction of new stations and relocation of existing service to those new locations. Nothing contained in the business plan advocates a reduction of personnel. While there is some concern and opposition to relocating existing stations, it is my opinion that there is more support to provide the Fire-EMS Department with the needed infrastructure to meet current and future service needs with properly sized and located stations than there is opposition to the plan.

Construction of new stations will provide the needed capacity to house modern firefighting equipment (several current station apparatus bays are too small for new fire pumpers and larger aerial ladder trucks), plus take advantage of recent roadway improvements permitting more efficient travel from north to south via Peters Creek Road Extension and improvements to the bridges at Second, Fifth and Tenth Streets.

Including new Station #4 (south Peters Creek Road) and the construction of three additional stations, a total of four new stations will be providing services to the community by the end of the third phase of the recommended construction period. Included in each new station design will be consideration of other community services, as feasible.

The Strategic Business Plan allows for a reallocation, not reduction, of department personnel. The closing of Station #12 (Salem Turnpike), as approved by City Council, permitted the reallocation of twelve positions. Six positions will support co-staffing the Clearbrook station in Roanoke County which will serve the 220 South/Southern Hills area of the city, and six positions for staffing one additional ambulance which will primarily serve the western/southwestern section of the city, bringing the total number of front-line ambulances to seven.

The Honorable Mayor and Members of Council
December 17, 2001
Page 3

Recommended Action:

Approve, in concept, the Fire-EMS Department Strategic Business Plan with the three-phase construction program as outlined below:

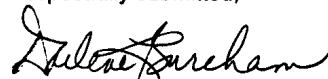
Phase 1: Construct a new Station #1 in or around the downtown area. Consolidate the present #1 (Church Avenue) and #3 (6th Street) stations into the new Station #1.

Phase II: Construct a new station in or around the Melrose Avenue area between 16th and 20th Streets. Consolidate the present #5 (12th Street and Loudon Avenue) and #9 (24th Street and Melrose) stations into the new facility.

Phase III: Construct a new station in the northern Williamson Road area. Relocate the residential component currently assigned to the Airport station to the new facility.

With this approval, staff will be developing specific recommendations in regard to financing, station locations and land acquisitions, architectural and engineering design and community input and plans for re-use of current stations. Council action will be requested at each subsequent step of the strategic business plan. Action at this time will allow for capital improvement planning.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB/JG/jsf

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
James Grigsby, Fire-EMS Chief

#CM01-00281

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION approving the Fire-EMS Department Strategic Business Plan.

BE IT RESOLVED by the Council of the City of Roanoke that Council approves, in concept, the Fire-EMS Department Strategic Business Plan with the three phase construction program as more fully set forth in the City Manager's letter to Council dated December 17, 2001.

ATTEST:

City Clerk.

6.a.4



Office of the City Manager

December 17, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Emergency Operations Plan
Reauthorization

Background:

The City of Roanoke prepares and maintains the Emergency Operations Plan, hereafter referred to as the Plan, in accordance with the Code of the City of Roanoke, Virginia, Section 2-126 and the Commonwealth of Virginia Emergency Services and Disaster Laws, Title 44, Chapter 3.2. The Council of the City of Roanoke adopted the current Plan on November 4, 1996. In accordance with the City's Local Partnership Performance Agreement, signed with the Virginia Department of Emergency Management, the Plan requires reauthorization at the end of the fifth calendar year.

Considerations:

The Plan provides an organizational framework and response capability from which the City can respond to any type of disaster or large-scale emergency whether the cause is natural, technological or war related. Associated departments reviewed and revised the applicable sections of the Plan and those changes have been incorporated.

The plan provides that emergency services operations be structured around existing constitutional governments and that the City Council in the event of an emergency confer upon the City Manager, or a predetermined representative in the absence of the Manager, the authority to act in accordance with Section 44-146.21, Declaration of local emergency.

Recommended Action:

Council reauthorize the Emergency Operations Plan for the City of Roanoke.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB:cl

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Rolanda A. Johnson, Assistant City Manager
J. Cary Lester Jr., Coordinator of Emergency Management

#CM01-00284

Attachment 1 Synopsis of Changes

Several appendices of the plan were given special consideration because of the circumstances of the last three months. Each was considered in a regional context to include the emergency managements offices of Roanoke County, City of Salem, and the Town of Vinton. They are as follows.

Hazardous Materials Incidents, Appendix 2

The *Superfund Amendments and Reauthorization Act*, 1986, requires the development of detailed procedures for the release of large chemical stores and smaller amounts of extremely hazardous materials. Local facilities, as required by the same act, are obligated to report the presence of such materials by March of each year. This appendix was reviewed and changes were incorporated into this years document. A separately published Roanoke Valley Hazardous Material Emergency Response Plan was developed in conjunction with the Local Emergency Planning Committee and the aforementioned localities.

Airport, Appendix 3

A separate Emergency Operations Plan that is specific to the Roanoke Regional Airport was reviewed and updated. The plan details the procedures for response to aircraft related emergencies to include the crash of a major carrier to structural fire on airport property. Input was received from response departments of both the County and Salem and the authority managing the airport. A live drill with a mock crash of a large airliner occurred in October 2000 and information on its effectiveness was incorporated into the plan.

Water Contamination, Appendix 6

The appendix was reviewed and a decision tree was updated to reflect the need to provide the public with clear information and alternatives in the event of water contamination. In addition to updating the primary plan, procedures were implemented specific to the individual purification and treatment facilities.

Terrorism, Appendix 9

An appendix was added to coordinate response activities for emergencies suspected to be of terrorist cause or origin. Such situations initiate a rapid response from the federal, state, and local authorities. The appendix serves to clarify the progressive change in control and authority to provide a seamless response.

6.a.4

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION readopting the Emergency Operations Plan for the City of Roanoke.

WHEREAS, this Council is greatly concerned with the health, safety and well-being of its citizens and desires that the best possible emergency services be available to them;

WHEREAS, the Commonwealth of Virginia Emergency Services and Disaster Law of 1973, Chapter 3.2 of Title 44 of the Code of Virginia (1950), as amended, requires that each city and county in the Commonwealth maintain an Emergency Operations Plan which addresses its planned response to emergency situations;

WHEREAS, such an Emergency Operations Plan was developed by City staff in coordination with the then Virginia Department of Emergency Services, and City Council, by Resolution No. 33174-110496, authorized the adoption of the Emergency Operations Plan;

WHEREAS, the Emergency Operations Plan has been revised and updated and the Commonwealth of Virginia Department of Emergency Management requires the readoption of Emergency Operations Plans every five years;

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that this Council does hereby readopt the Emergency Operations Plan for the City of Roanoke in accordance with the recommendation contained in the City Manager's letter to Council dated December 17, 2001.

ATTEST:

City Clerk.

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Office of the City Manager

December 17, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Grant Award for FY '01 and '02
Temporary Assistance for Needy
Families (TANF) Hard-to-Serve
Project

Background:

The Virginia Department of Social Services issued a Request for Proposals to use federal funds to provide job search, job coaching and job retention services for hard-to-serve TANF recipients. The City of Roanoke Department of Social Services responded to this RFP with a proposal outlining its intent to work collaboratively with TAP - This Valley Works to provide the work-related services listed above. Under this proposal, eligible TANF recipients who must obtain employment, but who have not been in compliance with certain regulatory requirements, will have customized job search assistance. Case managers will work with these individuals to develop and initiate an individualized plan of action to meet compliance requirements and to assist in securing and maintaining employment.

The City of Roanoke was awarded \$ 473,411 in grant funding under the TANF Hard-to-Serve Project for fiscal years 2001 and 2002.

Considerations:

- Program Operations – Existing activities will continue and planned programs will be implemented.
- Funding – Funds are available from the Grantor agency, at no additional cost to the City.

Honorable Mayor and Members of City Council
December 17, 2001
Page 2

Recommended Action:

Authorize acceptance of the grant award, appropriate Temporary Assistance for Needy Families (TANF) funding totaling \$ 473,411 and establish a revenue estimate of \$ 473,411 in accounts to be established by the Director of Finance.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB:GDR:tem

c: Rolanda A. Johnson, Assistant City Manager for Community Development
Mary C. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Barry L. Key, Director of Management and Budget
Glenn D. Radcliffe, Director of Human Services

#CM01-00277

AKS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Grant Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Grant Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Health and Welfare	\$ 3,280,729
Temporary Assistance for Needy Families (TANF) Hard-to-Serve	
Project (1).	473,411

Revenues

Health and Welfare	\$ 3,280,729
Temporary Assistance for Needy Families (TANF) Hard-to-Serve	
Project (2).	473,411

1) Fees for Professional		
Services	(035-630-8850-2010)	\$ 473,411
2) State Grant Receipts	(035-630-8850-8850)	473,411

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

JAC

6.a.5

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing acceptance of a grant award under the Temporary Assistance for Needy Families (TANF) Hard-to-Serve Project from the Virginia Department of Social Services, for the purpose of providing job search, job coaching and job retention services for eligible TANF recipients who must obtain employment, and authorizing execution of any and all necessary documents to comply with the terms and conditions of the grant.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The grant award under the Temporary Assistance for Needy Families (TANF) Hard-to-Serve Project from the Virginia Department of Social Services, for the purpose of providing job search, job coaching and job retention services for hard-to-serve TANF recipients, in the amount of \$473,411.00, as set forth in the City Manager's letter to Council dated December 17, 2001, is hereby ACCEPTED.

2. The City Manager, or her designee, is hereby authorized to execute any and all requisite documents pertaining to the City's acceptance of these funds and to furnish such additional information as may be required in connection with the City's acceptance of these grant funds. All documents shall be approved by the City Attorney.

ATTEST:

City Clerk.

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6.a. 6



Office of the City Manager

December 17, 2001

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Jr., Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Gift of Property at
 Stadium/Amphitheater Site

At its meeting on May 21, 2001, City Council authorized the City Manager to begin negotiations for acquisition of property across Orange Avenue from the Roanoke Civic Center for the purpose of constructing a multipurpose Stadium/Amphitheater facility.

The City has received an offer to transfer certain property as a gift, owned by Calvin W. and Mary C. Powers and Theodore J. & Judy P. Sutton, and identified as tax parcel no. 3070318.

Recommended Action:

Authorize the City Manager to accept the gift of tax parcel no. 3070318 to the City. Adopt a resolution expressing appreciation to Calvin W. and Mary C. Powers and to Theodore J. and Judy P. Sutton for their donation to the City.

Respectfully submitted,

Darlene L. Burcham
 City Manager

DLB:je

c: Mary F. Parker, City Clerk
 William M. Hackworth, City Attorney
 James D. Grisso, Director of Finance
 Barry L. Key, Director of Management and Budget

#CM01-00280

02c

6.a. 6

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE authorizing the City Manager's acceptance of a donation to the City of Roanoke of a parcel of land identified as Official Tax No. 3070318, and expressing appreciation to Calvin W. and Mary C. Powers and Theodore J. and Judy P. Sutton for the donation.

WHEREAS, the City of Roanoke is desirous of acquiring certain property as a site for a multipurpose Stadium/Amphitheater facility and Calvin W. and Mary C. Powers and Theodore J. and Judy P. Sutton have offered to transfer certain property, as a gift to the City of Roanoke.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The City Manager is authorized to accept the gift of the parcel of land identified as Official Tax No. 3070318 and to execute any documents necessary for transfer of the property to the City.
2. The City's acceptance of the property bearing Official Tax No. 3070318, from Calvin W. and Mary C. Powers and Theodore J. and Judy P. Sutton, is subject to the City being able to obtain a satisfactory environment assessment of the property.
3. This Council expresses its appreciation to Calvin C. and Mary W. Powers and Theodore J. and Judy P. Sutton for their generous donation of this property.
4. The City Clerk is directed to send an attested copy of this ordinance to Calvin C. and Mary W. Powers and Theodore J. and Judy P. Sutton

ATTEST:

City Clerk.

IA\Clerk\o-Powers donation 12-17-01.wpd

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6.a. 7



Office of the City Manager

December 17, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Purchase of Street
Sweeper
Bid Number 01-11-16

Background:

Capital Maintenance and Equipment Replacement Program (CMERP) has identified the need to purchase one (1) street sweeper for Streets and Traffic.

Considerations:

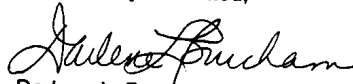
Bids were requested after due and proper advertisement. Bids were received from two (2) vendors and evaluated in a consistent manner. See Attachment A for bid tabulation and breakdown of substantial exceptions taken. The lowest bids, submitted by Virginia Public Works Equipment Company, Richmond, Virginia, for base bid and alternate 1, took exceptions on the following requirements: vacuum dust control package, vario brush requirement, conveyor system and main broom for the sweeping system, water requirements/recommendations for dust control and high dump sweeper requirement. These exceptions are substantial and cannot be waived as informalities, thus their bids are non-responsive. The next lowest bid, submitted by Tennant Sales and Service Company, Minneapolis, Minnesota, was in the amount of \$109,750.00. This bid took one (1) exception in the type of seat covering to be provided, which is considered an informality. Funding is available in account #017-440-2642-9010.

The Honorable Mayor and Members of Council
December 17, 2001
Page 2

Recommended Action:

Award the bid as set forth above and authorize the issuance of a purchase order for a total of \$109,750.00 and reject all other bids.

Respectfully submitted,


Darlene L. Burgham
City Manager

DLB:bdf

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Barry L. Key, Director OMB
Kenneth H. King, Manager, Streets and Traffic
James A. McClung, Manager, Fleet Management
Robert L. White, Manager, Purchasing

CM01-00282

Attachment A

Bid Tabulation

Bids were received, publicly opened and read at 2:00 p.m., Wednesday, December 5,
2001

For

Street Sweeper

Bid Number 01-11-16

Qty	Description	VA. Public Works	Va. Public Works	Va. Public Works	Tennant Sales	Tennant Sales
1	Street Sweeper	\$93,689.00 Base Bid	\$95,480.00 Alternate 1	\$126,316.00 Alternate 2	\$109,750.00* Base Bid	\$108,328.00 Alternate 1

Substantial exceptions taken to required specifications per unit:

Va. Public Works bid of \$93,689.00

No vacuum dust control package
No vario brush
Requires water for dust control

Va. Public Works bid of \$95,480.00

No conveyor system and no main broom
for the sweeping system
No vario brush
Recommends water for dust control
Not a high dump sweeper

Tennant Sales bid of \$108,325.00

Wet & dry sidebroom dust control is
not included

* Indicates Recommendation

SST

6.a. 7

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION accepting the bid of Tennant Sales and Service Company, for the purchase of one street sweeper, upon certain terms and conditions; and rejecting all other bids made for such items.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The bid submitted by Tennant Sales and Service Company, to furnish one new street sweeper at a total cost of \$109,750.00, is hereby ACCEPTED.
2. The City's Manager of Supply Management is hereby authorized to issue the requisite purchase order for the purchase of such equipment, and the City Manager is authorized to execute, for and on behalf of the City, any required purchase agreement with respect to the aforesaid equipment, such purchase agreement to be in form approved by the City Attorney.
3. Any and all other bids made to the City for the aforesaid items are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express to each the City's appreciation for such bid.

ATTEST:

City Clerk.

6.b.1



WILLIAM M. HACKWORTH
CITY ATTORNEY

CITY OF ROANOKE
OFFICE OF CITY ATTORNEY

464 MUNICIPAL BUILDING
215 CHURCH AVENUE, SW
ROANOKE, VIRGINIA 24011-1595

TELEPHONE: 540-853-2431
FAX: 540-853-1221
E-MAIL: cityatty@ci.roanoke.va.us

ELIZABETH K. DILLON
STEVEN J. TALEVI
GARY E. TEGENKAMP
DAVID L. COLLINS
CAROLYN H. FURROW
ASSISTANT CITY ATTORNEYS

December 17, 2001

Honorable Mayor and Members
of City Council
Roanoke, Virginia

Re: Public Assembly Ordinance

Dear Mayor Smith and Members of City Council:

From time to time, groups wish to use City property, such as parks or rights-of-way. For example, a group may wish to hold a block party on a cul-de-sac or a parade in a street, or a group may wish to use a large area within a park. The present City ordinance which regulates the issuance of permits for such activities is deficient in several aspects and does not adequately address current administrative and legal needs. Competing needs for the use of public property and the many issues that arise in relation to the use of this property mandate consideration of a new public assembly ordinance.

The City's ability to enact a public assembly ordinance which addresses the needs of the City and the general public is constrained by constitutional protections of First Amendment activities. Such activities include picketing or holding signs, making speeches or engaging in prayer, and distributing literature, among other activities. The United States Supreme Court and other courts have construed the First Amendment of the United States Constitution to prohibit overly broad prior restraints by government on speech, subjective evaluations of an assembly or the message being broadcast by the assembly, and actions by a government which may have a chilling effect on a group's ability to exercise its First Amendment rights. This Office has worked closely over a considerable period of time with a team of City employees, consisting of representatives of the Police Department, the Parks and Recreation Department, the Streets and Traffic Division, and the Special Events Committee, to prepare a new public assembly ordinance and to devise a new internal system for the administration of the ordinance. Representation from the various departments helped ensure that the needs of the City and the general public were met as well as possible, given the constitutional constraints.

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Honorable Mayor and Members
of City Council
December 17, 2001

Page 2

Attached for your consideration is a copy of the proposed ordinance which has been developed by this team. The proposed ordinance requires that before any person or group, unless exempted from its provisions, assembles on a sidewalk, in a street, in a public park, or on public property, that they obtain a public assembly permit. In general, groups of under 100 persons would not need a permit to use an area within a public park (unless any temporary structures, such as a stage, are needed), and a group of under six persons would not need a permit to conduct a public meeting on a public sidewalk. The information solicited for a public assembly permit varies based upon the type of public property needed for a public assembly, but all groups must identify the date, time, location and route, if applicable, of a public assembly. The proposed ordinance provides that the Director of the Department of Public Works issue the permit, unless the Director finds that the public assembly unduly disrupts pedestrian or vehicular traffic, interferes with the movement of fire-fighting equipment, interferes with fire or police protection of an area adjacent to a public assembly area or route, or that the public assembly conflicts, by virtue of its time or location, with another public assembly. Any person or group may request that a permit be issued, even though the ordinance does not require that a permit be issued, in the event that the group wishes to ensure that it has exclusive use of an area. Finally, the proposed ordinance provides for an administrative appeal process in the event of a denial.

Please let me know if you have any questions about this ordinance.

With kindest personal regards, I am

Sincerely yours,



William M. Hackworth
City Attorney

WMH/SJT:s
Attachment

c: Donald S. Caldwell, Commonwealth's Attorney
Darlene L. Burcham, City Manager
James D. Grisso, Director of Finance
Mary F. Parker, City Clerk
A. L. Gaskins, Chief of Police

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STT
12/12/00

6.b.1

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining §20-8, Closing streets to traffic, of Chapter 20, Motor Vehicles and Traffic, and §24-89, Reservation of space or facilities for use by groups at particular time, of Chapter 24, Public Buildings and Property; repealing §24-93, Permit for parades and assemblies, of Chapter 24, Public Buildings and Property; repealing Article V, Permit for Parades or Assemblies on Street or Sidewalks, of Chapter 30, Streets and Sidewalks, of the Code of the City of Roanoke (1979), as amended; and adding new Article 5.1, to be entitled Permit for Public Assemblies, of Chapter 30, Streets and Sidewalks, of the Code of the City of Roanoke (1979), as amended, to provide for standards of a permit system for public assemblies on public streets, sidewalks and on public property; dispensing with the second reading of this ordinance; and providing for an effective date.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. Section 20-8, Closing streets to traffic, of Chapter 20, Motor Vehicles and Traffic, and §24-89, Reservation of space or facilities for use by groups at particular time, of Chapter 24, Public Buildings and Property, of the Code of the City of Roanoke (1979), as amended, are hereby amended to read and provide as follows:

Sec. 20-8. Closing streets to traffic.

The city manager may, in any case of fire, disaster or other public emergency, or of construction or reconstruction of any street or thoroughfare, or other circumstances requiring the need to protect the health, safety or

welfare of the general public, temporarily close any street or other public thoroughfare to vehicular or pedestrian traffic.

* * *

Sec. 24-89. Reservation of space or facilities for use by groups at particular time.

(a) Any person desiring to have any space or facility in any public park reserved for use by a particular group of persons during a particular time shall secure written permission from the Director of Parks and Recreation Department.

(b) In addition to the requirements of subsection (a) above, no person shall organize, conduct, or participate in any public assembly, as that term is defined in Article 5.1 of Chapter 30, of the City Code, unless a public assembly permit authorizing such activity has been issued by the Director of Public Works, or the designee of that person. All provisions of Article 5.1 of Chapter 30, of the City Code, are hereby incorporated as a part of this section to the same extent as if set out herein.

2. Section 24-93, Permit for parades and assemblies, of Chapter 24, Public Buildings and Property, and Article V, Permit for Parades or Assemblies on Street or Sidewalks, of Chapter 30, Streets and Sidewalks, of the Code of the City of Roanoke (1979), as amended, are hereby REPEALED.

3. Chapter 30, Streets and Sidewalks, of the Code of the City of Roanoke (1979), as amended, is hereby amended by the addition of new Article 5.1, to read and provide as follows:

Article 5.1. Permit for Public Assemblies.

Sec. 30-101. Goals and objectives.

(a) The Council of the City of Roanoke hereby finds and declares the following to be the goals and objectives of this Article:

- (1) to allow the safe and reasonably unrestricted flow of pedestrian traffic on sidewalks and vehicular traffic in the streets and alleys;
- (2) to ensure the safe and orderly use of the public parks and other public property;
- (3) to protect and preserve the sanctity of each citizen in his home; and
- (4) to protect and preserve the safety of the general public.

(b) The provisions of this Article shall be administered and construed in such a manner so as to encourage and permit the free, open and non-violent exchange and expression of ideas and opinions, as much as possible, while still achieving the goals and objectives set forth above.

Sec. 30-102. Definitions.

(a) Applicant - The person who completes an application for a permit.

(b) Application for Permit - A form provided by the Director, the completion of which is necessary for obtaining a permit.

(c) Director - The Director of Public Works, or the designee of that person.

(d) Notice - The notification to an applicant of any decision made pursuant to this Article. Notice may be by first-class mail to the applicant's address as set forth in the application, orally in person to the applicant, by telephone to any person believed by the Director, or the City Manager in the event of an appeal, to be the applicant, or to any telephone answering machine believed by the Director, or the City Manager in the event of an appeal, to be accessible by the applicant, or by any combination of the means set forth herein. Notice shall be effective, and shall be deemed given to the applicant, on the date it is sent, given or otherwise transmitted or communicated to the applicant, not the date on which it is received by the applicant.

(e) Permit - Permit issued by the city, through the Director, or the City Manager in the event of an appeal, allowing a public assembly.

(f) Permittee - The person or persons, association, partnership, corporation or other entity or group in whose favor a permit is sought or obtained, or persons belonging to such association, partnership, corporation, or other entity or group.

(g) Public Assembly - Any cohesive group of people, animals or vehicles, or combination thereof, upon any sidewalk, street, alley or other portion of the public right-of-way, or within a public park, or on any public property which is outdoors in the City of Roanoke and which group does not comply with normal vehicular or pedestrian traffic, regulations or controls, or normal usage of the sidewalk, street, alley or other portion of the public right-of-way, or park or public property. Such group includes any gathering, demonstration or march, procession, running race, walk, block party, bicycle race, ceremony, show, exhibition, festival or similar event.

(h) Terms - The terms of a permit shall consist of the information provided by an applicant or otherwise stated in an application.

Sec. 30-103. Permit required.

(a) No person may conduct a public assembly in or upon any public street, sidewalk, alley or other portion of the public right-of-way, or in any public park or on any public property, or knowingly participate in any such assembly, without a permit, or being subject to a permit, issued by the Director, except in accordance with the terms and conditions of this Article. Any person, group or entity, who is not otherwise required to obtain a permit may not parade, march, gather or otherwise engage in an activity which will unduly disrupt either pedestrian or vehicular traffic, the movement of fire-fighting equipment from a station or en route to a fire, or police protection or ambulance service to the area of the activity, or which will interfere with a public assembly for which a permit has been issued.

(b) No permit may be issued without an applicant submitting a completed application for a permit to the Director.

(c) Any completed application for a permit shall be filed with the Director not less than ten (10) business days before the proposed date of the public assembly. The Director shall have the authority to consider any completed application under this Article which is filed less than ten (10) days before the proposed date of the public assembly, giving due consideration to the urgency of the application and the need to protect the general health, safety and welfare.

(d) The Director shall obtain information relating to the date, time and location or route of the commencement and termination of a proposed public assembly, as well as any other information relevant to the Director to protect the general health, safety and welfare of the public.

(e) Upon receipt of a completed application for a permit, the Director shall issue a permit, unless the Director finds that:

- (1) The assembly will unduly disrupt either pedestrian or vehicular traffic;
- (2) The assembly will unduly interfere with the movement of fire-fighting equipment from a station or en route to a fire;
- (3) The concentration of persons, animals or vehicles, or any combination thereof, will unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to a public assembly area or route;
- (4) The assembly will interfere with another assembly for which a permit has been issued; or
- (5) The assembly will violate the conditions of a permit as established by the City Manager.

(f) Any permit issued pursuant to this article is subject to all other applicable laws, ordinances, codes and regulations.

(g) The requirement of a permit shall not apply to:

- (1) A public assembly of fewer than one hundred (100) people in a public park or on public property which is not a public street, alley or sidewalk, and which does not involve the placement of a booth, stage or other temporary structure either within the public parks or on public property;

- (2) A public assembly consisting of five (5) or fewer people on a public sidewalk which does not impede the ordinary flow of pedestrians on a sidewalk;
- (3) A funeral procession;
- (4) Recreational activities, including jogging or walking;
- (5) the United States army, navy, air force, or coast guard, the military forces of the state, and the police or fire department of the city.

(h) A permit may be issued, though not required under the terms of this Article, if a person or entity applies for such permit.

Section 30-104. Approval or denial of application for permit.

(a) The Director shall approve or deny a completed application for a permit, and give notice to the applicant of the decision, as soon as possible upon receipt, but in no case any more than five (5) business days after receipt of the completed application which has been signed on behalf of all applicable City departments. The time limitation in this subparagraph may be extended to a date certain upon written request of an applicant.

(b) In the event the Director denies an application for a permit, the Director shall state, in writing, the specific reason(s) for denial of the application, and, if possible, recommend specific changes to the application which, if made and accepted by the applicant, would be acceptable to the Director, give notice to the applicant of the decision, and advise the applicant of his right to appeal the decision to the City Manager within ten (10) business days of the date of the notice.

Sec. 30-105. Appeal procedure.

(a) Upon denial by the Director of an application for a permit, the Director shall give notice to the applicant of the decision pertaining to the application, and the applicant may appeal from the determination of the Director within ten (10) business days of the date notice is given to the applicant.

(b) Appeal shall be made to the City Manager by filing a written Notice of Appeal with the City Clerk.

- (1) The Notice of Appeal shall set forth each portion of the decision rendered by the Director from which the applicant appeals.
- (2) The Notice of Appeal and application shall be reviewed by the City Manager, and the City Manager shall approve or deny the application on appeal as soon as possible, but in no case any more than five (5) business days of the filing of the Notice of Appeal. At the option of the City Manager, such review may occur in the presence of the applicant. The time limitation in this subparagraph may be extended to a definite date upon written request of the applicant.

(c) In the event the City Manager denies an application for a permit, the City Manager shall state, in writing, the specific reason(s) for denial of the application, and, if possible, recommend specific changes to the application which, if made and accepted by the applicant, would be acceptable to the City Manager, and give notice to the applicant of the decision. If such recommended specific changes are acceptable to the applicant, the applicant must accept the changes to the application, in writing, within five (5) business days of notice given to the applicant of the City Manager's decision.

(d) In the event the City Manager approves an application for a permit, the City Manager shall give notice to the applicant of the decision pertaining to the application.

Sec. 30-106. Revocation of a permit.

(a) Any permit may be revoked by the Director for the following reasons:

- (1) When by reason of disaster, public calamity, riot or other emergency, either before or during a public assembly, the Chief of Police determines that the safety of the general public or property requires such revocation;
- (2) The applicant violates any term or condition of the permit, any ordinance of the City, or any law of the Commonwealth of Virginia, or any law of the United States, while conducting, or participating in, the public assembly; or

- (3) The Director determines that information given by the applicant in an application for permit was incorrect when given or becomes incorrect, and that such information is relevant to the goals and objectives in Section 30-101 of the Code of the City of Roanoke (1979), as amended, and could form the basis for a denial.

(b) Oral notice of such revocation shall be given as soon as possible, but in no event later than forty-eight (48) hours from the date on which the Director determines that such revocation is required. Written notice of such revocation shall be given within five (5) business days of the date on which the Director determines that revocation is required, and such written notice shall set forth the reason or reasons for such revocation and shall be sent by first-class mail to the applicant's address as set forth in the application.

(c) Upon revocation by the Director, the applicant may appeal from the determination of the Director within ten (10) business days of the date notice is given to the applicant. Appeal should be made to the City Manager by filing a written notice of appeal with the City Clerk, and the appeal shall be heard as if filed under Section 30-105 of this Article.

Sec. 30-107. Authority of City Manager to promulgate conditions.

The City Manager shall be authorized to promulgate conditions for all public assembly permits which shall not be inconsistent with the terms of this article or the guarantees of the Constitution of Virginia or the Constitution of the United States. Violation of any condition of a permit shall be a violation of this section.

Sec. 30-108. Authority to arrest.

A permit shall not affect the authority of any law-enforcement officer to arrest a person engaged in any acts or activities for which the permit was granted, if the conduct of such person violates any state or federal law, code or statute, or any ordinance of the City of Roanoke, or otherwise causes a breach of the peace.

- 4. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

5. This ordinance shall be in full force and effect January 1, 2002.

ATTEST:

City Clerk.



RECEIVED
CITY CLERKS OFFICE

7.a.
Roanoke City Department of Planning
Building and Development
Room 166, Municipal Building
215 Church Avenue, S.W.
Roanoke, Virginia 24011
(540) 853-1730 (Fax) 853-1230
Email: planning@ci.roanoke.va.us

'01 NOV 21 P2:11

December 17, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Request from Roanoke City Department of Parks and Recreation to name a new park in the Washington Park neighborhood on Shadeland Avenue, N.W., Brown-Robertson Park.

Planning Commission Action:

On November 15, 2001, the Planning Commission heard a request from the City's Department of Parks and Recreation to name a new park on Shadeland Avenue, N.W., Brown-Robertson Park. The request was approved by a vote of 6-0 (Messrs. Butler, Campbell, Chrisman, Dowe, Hill and Manetta voting in favor; Mr. Rife absent). Dr. Jeanette Manns, co-chair of the Washington Park Alliance, appeared before the Committee in support of the requested naming.

Background:

On October 26, 2001, the City's Department of Parks and Recreation requested the Planning Commission consider the naming of a 7.5 acre tract of land Brown-Robertson Park, in honor of Dorothy Brown and Hazel Robertson. These individuals were active in the Shadeland community and both lost their lives in the flood of 1985.

The Planning Commission's Ordinance and Names Committee considered the request on November 15, 2001. At the public meeting on November 15, 2001, the Committee recommended that the Planning Commission recommend the naming to City Council.

Roanoke City Planning Commission Architectural Review Board Board of Zoning Appeals

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Recommendation:

Planning Commission recommends that City Council name the 7.5 acre site on Shadeland Avenue, N.W., Brown-Robertson Park.

Respectfully submitted,

A handwritten signature in black ink that reads "D. Kent Chrisman". The signature is written in a cursive, flowing style.

D. Kent Chrisman, Chairman
Roanoke City Planning Commission

/f
attachment

cc: Darlene L. Burcham, City Manager
Rolanda Johnson, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
Steven J. Talevi, Assistant City Attorney
Dr. Jeanette Manns, co-chair, Washington Park Alliance



210 Reserve Avenue SW Roanoke, Virginia 24016 540/853-2236 FAX 540/853-1287

RECYCLED PAPER

October 26, 2001

Planning Commission
D. Kent Christman, Chairman
215 Church Ave., Room 166
Roanoke, VA 24016

RE: Naming of City property

Dear Mr. Christman:

The Washington Park Alliance for Neighborhoods has developed a conceptual master plan for improvement to an area on Shadeland Avenue, NW. As part of this process, it is requested that a 7.5 acre city property located off 10th Street, which adjoins the Lick Run Greenway, be named **Brown-Robertson Park**. This proposed park would benefit the large number of children who live in the area. In addition, it will also be a convenient location for neighborhood events. This will add lasting value to the community and encourage efforts to rebuild and rehabilitate neighborhood housing stock.

The Alliance requests this name to commemorate two significant individuals who were active in the Shadeland community, Dorothy Brown and Hazel Robertson, who lost their lives on Shadeland Avenue during the flood of 1985. They were well known in this community because they used their profession to give back to their community.

In honor of Mrs. Brown and Mrs. Robertson, I am requesting that this issue be placed on the next Planning Commission's agenda and a recommendation sent to City Council so that they may officially adopt the name **Brown-Robertson Park**.

Sincerely,

Wanda B. Reed
Acting Director

RECEIVED

c: Members of Washington Park Alliance for Neighborhoods

OCT 29 2001

Planning and
Code Enforcement

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551
11/26/01

7.a.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION naming a new park in the Washington Park neighborhood as Brown-Robertson Park.

WHEREAS, the Washington Park Alliance for Neighborhoods has requested that the new park on Shadeland Avenue, N.W., be named Brown-Robertson Park, in order to honor Dorothy Brown and Hazel Robertson, both individuals who were active in the Shadeland community, and whose lives were lost in the flood of 1985;

WHEREAS, the Planning Commission's guidelines for naming public facilities indicate that names with a historical basis are appropriate; and

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. City Council concurs in the Planning Commission's recommendation that the name of the new park in the Washington Park neighborhood on Shadeland Avenue, N. W., be named Brown-Robertson Park.

2. The City Manager is requested to cause the naming of this new park to be noted with the installation of appropriate signs to indicate that Brown-Robertson Park is the name of the new park on Shadeland Avenue, N. W.

ATTEST:

City Clerk.

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7.b.



Sherman P. Lea, Chairman
Ruth C. Willson, Vice Chairman
Charles W. Day

Marsha W. Ellison
Gloria P. Manns
Melinda J. Payne

Brian J.
E. Wayne Harris, Ed.D., Superintendent
Cindy H. Lee, Clerk of the Board

Roanoke

RECEIVED
CITY CLERKS OFFICE

City School Board P.O. Box 13145, Roanoke, Virginia 24031 • 540-853-2381 • Fax: 540-853-2951

'01 DEC 10 P2:02

December 17, 2001

The Honorable Ralph K. Smith, Mayor
and Members of Roanoke City Council
Roanoke, VA 24011

Dear Members of Council:

The School Board respectfully requests City Council to approve the following appropriations which were approved at its December 11 meeting.

- \$15,000.00 for the FY2001-02 Chess Program to pay for chess materials and tournament participation costs. This continuing grant program has received a private donation.
- \$42,500.00 for the Blue Ridge Technical Academy Bio-Medical Career Laboratory Program. The program which has been endowed by Johnson and Johnson, Incorporated, will provide for the installation and operation of a bio-medical career laboratory at the Academy. The corporate donation has been received for year one of a three-year program.
- \$22,715.00 for computer network switches and transceivers at Fairview Elementary School. The requirement is being funded from an approved Literary Fund loan for the project.
- \$26,960.00 for computer network switches and transceivers at Fishburn Park Elementary School. The requirement is being funded from an approved Literary Fund loan for the project.

The Board appreciates the approval of this request.

Sincerely,

Cindy H. Lee, Clerk

re

cc: Mr. Sherman P. Lea	Mrs. Darlene L. Burcham
Dr. E. Wayne Harris	Mr. William M. Hackworth
Mr. Richard L. Kelley	Mr. James D. Grisso
Mr. Kenneth F. Mundy	Mrs. Ann H. Shawver (with accounting
Mr. William L. Murray	details)

Preparing Students for Success

7.b.

CITY OF ROANOKE
DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461
P.O. Box 1220
Roanoke, Virginia 24006-1220
Telephone: (540) 853-2821
Fax: (540) 853-6142

JAMES D. GRISSO
Director of Finance

JESSE A. HALL
Deputy Director

December 17, 2001

The Honorable Ralph K. Smith, Mayor
The Honorable William H. Carder, Vice Mayor
The Honorable William D. Bestpitch, Council Member
The Honorable C. Nelson Harris, Council Member
The Honorable W. Alvin Hudson, Jr., Council Member
The Honorable William White, Sr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

We have reviewed the attached request to appropriate funding for the School Board. This report will appropriate the following:

\$15,000 for the FY2001-02 Chess Program to pay for chess materials and tournament participation costs. This continuing grant program has received a private donation.


\$42,500 for the Blue Ridge Technical Academy Bio-Medical Career Laboratory Program. The program which has been endowed by Johnson and Johnson, Incorporated, will provide for the installation and operation of a bio-medical career laboratory at the Academy. The corporate donation has been received for year one of a three-year program.

\$22,715 for computer network switches and transceivers at Fairview Elementary School. The requirement is being funded from an approved Literary Fund loan for the project.

\$26,960 for computer network switches and transceivers at Fishburn Park Elementary School. The requirement is being funded from an approved Literary Fund loan for the project.

We recommend that you concur with this request of the School Board.

Sincerely,



James D. Grisso
Director of Finance

JDG/JSY/pac

Attachment

c: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
E. Wayne Harris, Superintendent of City Schools

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AHS

7.b.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 School and School Capital Projects Funds Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 School and School Capital Projects Funds Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

School Fund

Appropriations

Education	\$ 129,232,800
Chess Program (1-2)	15,000
Bio-Medical Career Lab 2001-02 (3-5)	42,500

Revenues

Education	\$ 129,690,676
Chess Program (6)	15,000
Bio-Medical Career Lab 2001-02 (7)	42,500

School Capital Projects Fund

Appropriations

Education	\$ 20,297,900
Fairview Elementary School Improvements (8)	2,607,598
Fishburn Park Elementary School Improvements (9)	2,355,514

Revenues

Education	\$ 15,507,336
Literary Fund Loan - Fairview Elementary (10)	2,514,848
Literary Fund Loan - Fishburn Park Elementary (11)	2,353,264

1) Maintenance Service		
Contracts	(030-062-6608-6102-0332)	\$ 3,000
2) Conventions/		
Education	(030-062-6608-6102-0554)	12,000
3) Other Professional		
Services	(030-065-6609-6102-0313)	3,000
4) Educational and		
Recreational		
Supplies	(030-065-6609-6102-0614)	2,000
5) Additional -Machinery		
and Equipment	(030-065-6609-6102-0821)	37,500
6) Fees	(030-062-6608-1103)	15,000
7) Fees	(030-062-6609-1103)	42,500
8) Appropriated from		
Literary Fund Loan	(031-060-6056-6896-9006)	22,715
9) Appropriated from		
Literary Fund Loan	(031-060-6057-6896-9006)	26,960
10) Literary Fund Loan -		
Fairview	(031-060-6056-1248)	22,715
11) Literary Fund Loan -		
Fishburn Park	(031-060-6057-1249)	26,960

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be
in effect from its passage.

ATTEST:

City Clerk.

WMT

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION recognizing Bobby Firebaugh, E.V. Gillespie, and Ralph Hoskins for their assistance to Roanoke police officers in the apprehension of a criminal.

WHEREAS, on September 14, 2001, Mr. Firebaugh, Mr. Gillespie and Mr. Hoskins witnessed a bank robbery at the First Union Bank in the 4200 block of Melrose Avenue, N.W.; and

WHEREAS, Mr. Firebaugh, Mr. Gillespie and Mr. Hoskins observed the robber get into a station wagon parked near the bank, followed the car to a nearby residential street and called the police; and

WHEREAS, police responded to this information, located the suspect's car in the 4000 block of Virginia Avenue, N.W., and arrested him; and

WHEREAS, the assistance of Mr. Firebaugh, Mr. Gillespie and Mr. Hoskins enabled police to make a quick arrest on a case that could have gone unsolved.

THEREFORE, BE IT RESOLVED by Council of the City of Roanoke as follows:

1. City Council adopts this resolution as a means of recognizing and commending Mr. Firebaugh, Mr. Gillespie and Mr. Hoskins for their courage and efforts above and beyond their duty as citizens.
2. The City Clerk is directed to transmit attested copies of this resolution to Messrs. Firebaugh, Gillespie and Hoskins.

ATTEST:

City Clerk

H:\MEASURES\appbankrobberysolved.1

C:\A-Scan\CCA00150.TIF

W48

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION recognizing John J. Eichenberger and for his assistance to Roanoke police officers in the apprehension of a criminal.

WHEREAS, on November 8, 2001, a man entered the pharmacy area at the back of the CVS Pharmacy at 1327 Grandin Rd., S.W., with a shirt over his face, carrying a crowbar, and demanded drugs from the pharmacist; and

WHEREAS, Mr. Eichenberger, a customer in the store, was able to remove the crowbar from the robber's hand and restrain him with package-sealing tape from the store; and

WHEREAS, police responded to the incident, arrested the man, and charged him with attempted robbery, assault, and wearing a mask in public; and

WHEREAS, the bravery of Mr. Eichenberger prevented a crime from occurring.

THEREFORE, BE IT RESOLVED by Council of the City of Roanoke as follows:

1. City Council adopts this resolution as a means of recognizing and commending Mr. Eichenberger for his courage and efforts above and beyond his duty as a citizen.
2. The City Clerk is directed to transmit attested copies of this resolution to Mr. John J. Eichenberger.

ATTEST:

City Clerk.

H:\MEASURES\app\drugstoreholdup

C:\A-Scan\CCA00151.TIF



RECEIVED
CITY CLERKS OFFICE

Roanoke City Department of Planning
Building and Development
Room 166, Municipal Building
235 Church Avenue, S.W.
Roanoke, Virginia 24011
(540) 853-1730 (Fax) 853-1230
Email: planning@cityroanoke.va.us

'01 DEC 12 AM 1:36

December 17, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Request from Vaughn & Jamison, LLC, represented by Maryellen F. Goodlatte, Attorney, that property located at the intersection of Electric Road and Keagy Road, identified as Official Tax Nos. 5130119, 5130121 and 5130122, containing four acres, more or less, and zoned RS-1, Residential Single Family District, be rezoned to CN, Neighborhood Commercial District (1.117 acres), and RPUD, Residential Planned Unit Development District (2.948 acres), subject to certain conditions proffered by the petitioner.

Planning Commission Action:

On November 15, 2001, the Planning Commission held a public hearing on the proposed request. By a vote of 6-0-1 (Messrs. Butler, Campbell, Chrisman, Dowe, Hill and Manetta voting for the request and Mr. Rife abstaining), the Commission recommended approval of the proposed rezoning subject to the proffered conditions.

Background:

The proposed rezoning is for three parcels currently zoned RS-1, Residential Single Family, located at the intersection of Keagy Road and Electric Road (Route 419) and designated as Official Tax Map Numbers 5130119, 5130121, and 5130122. The three parcels total 4.06 acres.

The petitioner requests that a 1.117-acre portion in the northwest of the development

be rezoned to CN, Neighborhood Commercial, to allow for the development of a bank branch. The remaining 2.948 acres to the south and east is requested for rezoning to RPUD, Residential Planned Unit Development, for a 10-lot subdivision. A metes and bounds description of these areas has been provided.

Petition to rezone the subject properties was filed on October 4, 2001. Amended petition to rezone the properties, subject to certain proffered conditions, was filed on November 13, 2001. The proffered conditions are:

1. The property will be developed in substantial conformity with the Development Plan prepared by T. P. Parker & Son, dated October 1, 2001, and revised November 8, 2001, and attached to this amended petition as Exhibit B, subject to any changes required by the City during the Comprehensive Development Plan review.
2. The CN portion of the property shall be developed and used as an office for a financial institution. In appearance, the building will be of an architectural style substantially similar to the Valley Bank branch on Starkey Road, a photographic rendering of which is attached hereto as Exhibit E.
3. The RPUD portion of the property shall be developed and used for single family homes, as set forth on the development plan, Exhibit B.
4. All lighting on the property shall consist of fixtures designed and shielded to direct illumination away from the adjoining residential neighborhoods.

These properties have an extensive rezoning history:

1. The Murchison Company was denied a similar request for rezoning the said parcels from RS-1 to C-1 by City Council on October 13, 1986. Their petition was for the development of a 32,000 square foot office complex. Residential property owners opposed the rezoning. Planning staff and the Planning Commission recommended the rezoning. City Council denied the rezoning request.
2. The parcels were the subject of a rezoning petition before the Planning Commission on March 15, 2001. The petitioner, Valley Bank, requested the parcels be rezoned to C-1, Office District, to develop a branch bank and an office complex. There was substantial opposition to the request by neighborhood residents who were concerned about the encroachment of commercial development. The Planning Commission voted unanimously to deny the request. The petitioner subsequently withdrew the rezoning request.

At the public hearing on November 15, 2001, **Mrs. Mary Ellen Goodlatte**,

attorney for the petitioner, presented the rezoning request and discussed the proposed development. **Mr. Frederick Gusler**, City Planner, presented the staff report and recommended approval of the rezoning request. Planning Commission members asked questions regarding the amount of grading, anticipated traffic impacts, and the provision for sidewalks in the residential development. Staff responded that a grading plan had not been prepared, but that approximately 15 feet of the top of the hill would be removed. Traffic could be accommodated with the proposed lane improvements to Keagy Road and Route 419. Mr. Manetta questioned the compliance of the proposed development with the Comprehensive Plan as it related to the design of suburban neighborhood development, particularly with respect to pedestrian access. Staff advised that the area lacked sidewalks and there was no connectivity for pedestrian access. The matter was discussed further among staff and the Commission. **Mrs. Katherine Glassbrenner**, 5221 Medmont Circle, appeared before the Commission in support of the rezoning, but advised that the Medmont residents were concerned about commercial encroachment yet, felt that they would have to accept progress. She said that she would like assurance that no further commercial development would occur on that side of Keagy Road. **Mr. Bob Caudle**, 4231 Belford Street, and President of Greater Deyerle Neighborhood Association, also appeared before the Commission in support of the rezoning, advising that the proposed plan was 73% residential and 27% commercial which was more in keeping with the desire of the neighborhood. Mr. Paul Glassbrenner, 521 Medmont Circle, also spoke in favor of the rezoning based upon the proffered conditions and the proposed use of the property. The Commission voted to approve the request, 6-0, with one member abstaining.

Considerations:

These properties are located adjacent to municipal boundaries for Roanoke City, Roanoke County and the City of Salem. All adjoining properties in the City are zoned RS-1, Single Family Residential District. Lewis-Gale Hospital, located in the City of Salem, is on the northern side of Keagy Road and is zoned single family residential (the facility has been granted a special use permit for a medical facility). To the west of the subject properties on the other side of Route 419 is commercial development in Roanoke County which includes a neighborhood shopping center that was developed as part of a residential/commercial planned unit development known as Ridgewood Farms, a bank, and a large office complex.

The CN, Neighborhood Commercial District is "intended to support and enhance existing neighborhood shopping areas and provide for a range of neighborhood retail and service establishments serving local and frequently recurring needs in residential neighborhoods." While CN zoning in most areas of the City contains more traditional neighborhood oriented developments, the petitioner's request for this zoning designation allows them flexibility in minimizing the amount of property zoned commercial and meets their needs for the overall development concept.

An unoccupied, wood-frame residential structure assessed at \$86,100, currently exists

on Official Tax Number 5130119. This structure would be removed or demolished for the proposed residential development. The other two parcels are presently vacant.

Water service is available from the City of Salem. The petitioner will need to extend public water service from Keagy Road to each site. Sewer service at the site is available from the City of Roanoke.

The City's Traffic Engineer has advised that the current left turn lane on Keagy Road should be extended approximately 100 feet to provide a storage area for vehicles turning left onto the development road. He also advised that the road servicing the development should be widened (3 lanes recommended) to accommodate turning movements where it intersects with Keagy Road. Finally, he noted that the development might create some through traffic between Route 419 and Keagy Road.

The petitioner's proffered plan incorporates a deceleration lane in the northbound lane of Route 419. In addition, the proffered plan has been amended to accommodate future widening of Route 419 as requested by VDOT. (VDOT is working currently with localities to evaluate options for providing three lanes in each direction, as well as a turning lane; however, the widening is not included in the *Roanoke Valley Area 2020 Long-Range Transportation Plan* or the *2001 Transportation Improvement Program (TIP) for the Roanoke Valley Area Metropolitan Planning Organization*.)

Staff also received comments from Roanoke County's Zoning Administrator who advised that the rezoning was consistent with the County's land use and zoning in the area, and also with its Community Plan.

The Vision 2001 Comprehensive Plan recommends:

1. *Housing Clusters*: Development of housing clusters will be used to encourage and promote neighborhood revitalization, replace derelict or neglected structures and complement the surrounding neighborhood. A housing cluster is a market rate residential development consisting of a mixture of residential uses on a large site, located within or adjacent to existing developments of established neighborhoods.
2. *Commercial Development*: Roanoke will encourage commercial development in appropriate areas (i.e., key intersections and centers) of Roanoke to serve the needs of citizens and visitors.
3. *Design Principles for Suburban Neighborhoods*: New residential development should incorporate traditional neighborhood principles rather than suburban patterns. Street improvements within suburban neighborhoods should focus on greater vehicular connection, pedestrian amenities and reduction of pavement width.

The proposed development is consistent with the Comprehensive Plan. Although the proposed Residential Planned Unit Development does not follow a traditional neighborhood development pattern, it is an example of a housing cluster that is consistent with the existing development in the area. The private street pavement width has been reduced to approximately 22 feet and the 40-foot diameter cul-de-sac is the minimum size needed to provide service for fire and garbage trucks. Finally, the proposed commercial development occurs at an appropriate key intersection of Keagy Road and Route 419.

Recommendation:

Planning Commission recommends that City Council approve the proposed rezoning subject to the proffered conditions.

Given the adjacent land uses and zoning patterns, the subject properties are well suited for a combination of commercial and residential development and the proposed rezoning is consistent with the Comprehensive Plan. In addition, the proposed development plan and requested zoning changes provide a reasonable approach to development of the property that can be supported by the neighborhood association.

Respectfully submitted,



D. Kent Chrisman, Chairman
Roanoke City Planning Commission

cc: Darlene L. Burcham, City Manager
Roland Johnson, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
Steven J. Talevi, Assistant City Attorney
Attorney for the petitioner

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

IN RE:

Rezoning three tracts of land located at the intersection of Route 419 and Keagy Road, S.W., identified as official Tax Map Numbers 5130119, 5130121 and 5130122, from RS-1 Residential Single-Family District to CN Neighborhood Commercial District (1.117 acres) and RPUD Residential Planned Unit Development District (2.948 acres), such rezoning to be subject to certain conditions.

AMENDED PETITION

TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA:

Petitioner Vaughn & Jamison, LLC, owns property in the City of Roanoke located at the intersection of Electric Road (Route 419) and Keagy Road and having Tax Map Numbers 5130119, 5130121 and 5130122. The property is currently zoned RS-1, Residential Single-Family District. A map of the property to be rezoned is attached as Exhibit A.

Pursuant to Section 36.1-690, Code of the City of Roanoke (1979), as amended, Petitioner requests that 1.117 acres of said property be rezoned from RS-1, Residential Single-Family District, to CN, Neighborhood Commercial District, and 2.948 acres be rezoned from RS-1, Residential Single-Family District, to RPUD, Residential Planned Unit Development District, subject to certain conditions set forth below, for the purpose of permitting general and professional offices including financial institutions on the CN parcel and single-family homes on the RPUD parcel. The proposed development plan prepared by T. P. Parker & Son, dated October 1, 2001 and revised November 8, 2001, is

attached hereto as Exhibit B ("Development Plan"). A metes and bounds description of the area to be rezoned to CN is attached as Exhibit C. A metes and bounds description of the area to be rezoned to RPUD is attached as Exhibit D.

Your petitioner believes the rezoning of the property will further the intent and purposes of the City's Zoning Ordinance and its Comprehensive Development Plan. The CN portion of the property will support and enhance existing neighborhood services in this suburban corridor while respecting its residential neighbors. The RPUD single-family use for the remainder of the property is intended to protect, enhance and buffer the adjacent residential neighborhoods. In developing this plan, your petitioner has worked extensively with neighbors and neighborhood organizations.

Your petitioner hereby proffers and agrees that if the said tract is rezoned as requested, that the rezoning will be subject to the following conditions:

1. The property will be developed in substantial conformity with the Development Plan prepared by T. P. Parker & Son, dated October 1, 2001 and revised November 8, 2001, and attached to this amended petition as Exhibit B, subject to any changes required by the City during the Comprehensive Development Plan review.

2. The CN portion of the property shall be developed and used as an office for a financial institution. In appearance, the building will be of an architectural style substantially similar to the Valley Bank branch on Starkey Road, a photographic rendering of which is attached hereto as Exhibit E.

3. The RPUD portion of the property shall be developed and used for single-family homes, as set forth on the development plan, Exhibit B.

4. All lighting on the property shall consist of fixtures designed and shielded to direct illumination away from the adjoining residential neighborhoods.

Attached as Exhibit F are the names, addresses and tax numbers of the owners of all lots or properties immediately adjacent to, immediately across a street or road from the property to be rezoned.

WHEREFORE, your Petitioner requests that the above-described tract be rezoned as requested in accordance with the provisions of the Zoning Ordinance of the City of Roanoke.

This Amended Petition is respectfully submitted this 12TH day of November, 2001.

VAUGHN & JAMISON, LLC

By: Maryellen F. Goodlatte
Of Counsel

Maryellen F. Goodlatte, Esq.
Glenn, Feldmann, Darby & Goodlatte
210 1st Street, S.W., Suite 200
P. O. Box 2887
Roanoke, Virginia 24001-2887

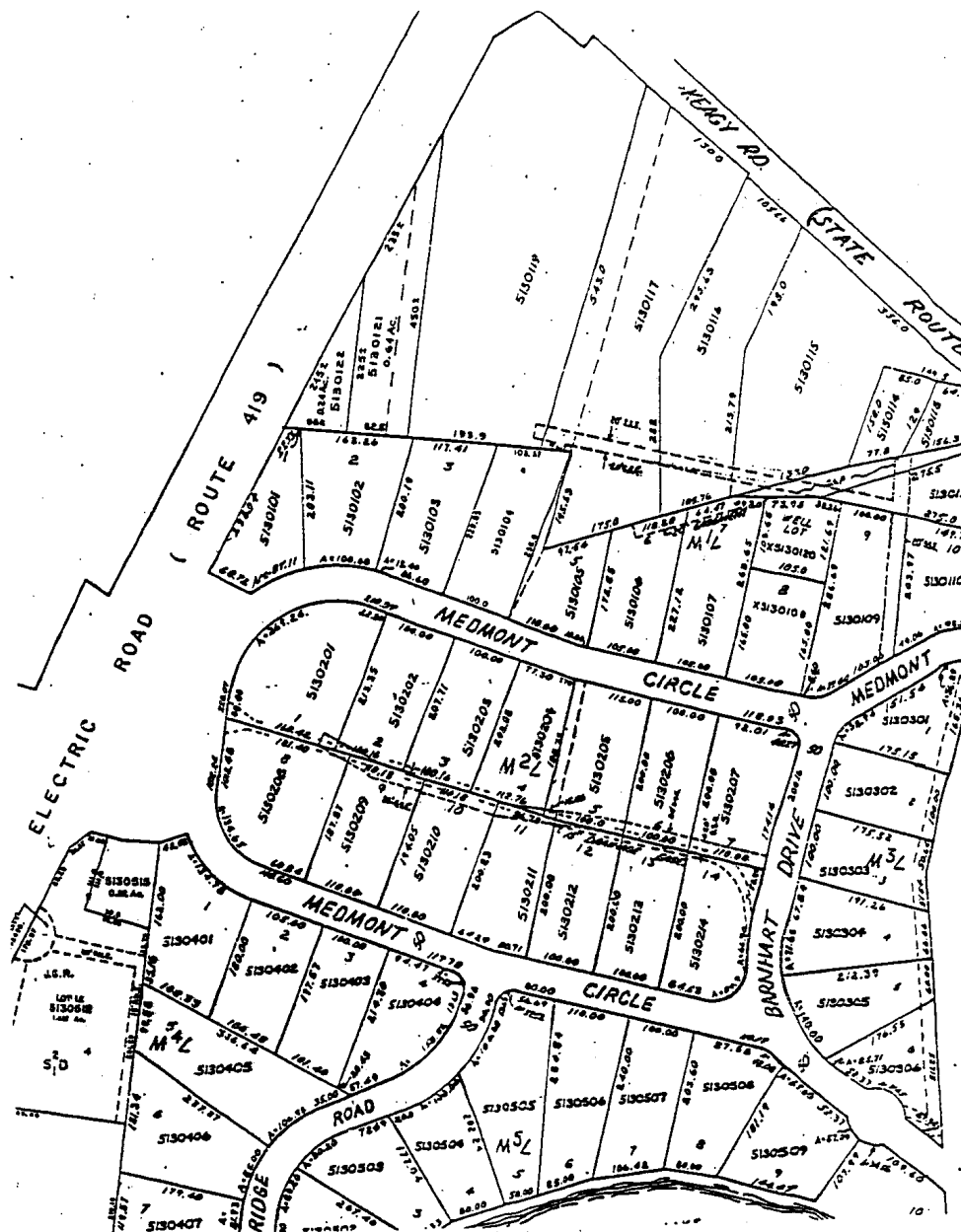
(540) 224-8018 - Telephone
(540) 224-8050 - Facsimile
mgoodlatte@gfdg.com

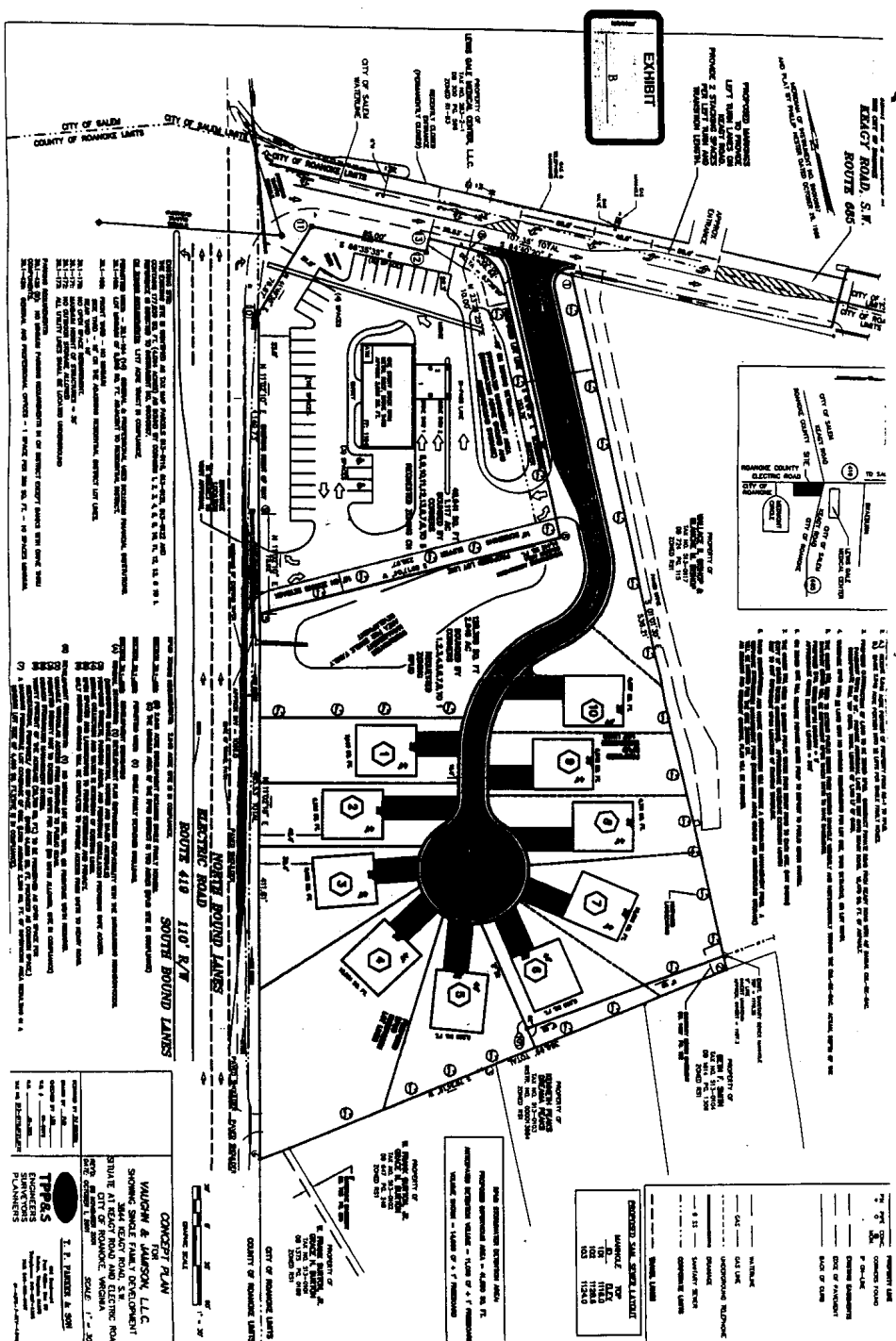
Vaughn & Jamison, LLC, a Virginia limited liability company, owner of the property subject to this petition hereby consents to this rezoning petition and agrees to be bound by the conditions that are proffered in this amended petition.

VAUGHN & JAMISON, LLC

By: *Paul C. Jamison*

its: MEMBER





551
11/24/01

A.1.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 513, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance.

WHEREAS, Vaughn & Jamison, LLC, has made application to the Council of the City of Roanoke to have the hereinafter described property rezoned from RS-1, Residential Single-Family District to CN, Neighborhood Commercial District (1.117 acres), and RPUD, Residential Planned Unit Development District (2.948 acres), subject to certain conditions proffered by the applicant; and

WHEREAS, the City Planning Commission, which after giving proper notice to all concerned as required by §36.1-693, Code of the City of Roanoke (1979), as amended, and after conducting a public hearing on the matter, has made its recommendation to Council; and

WHEREAS, a public hearing was held by City Council on said application at its meeting on December 17, 2001, after due and timely notice thereof as required by §36.1-693, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were given an opportunity to be heard, both for and against the proposed rezoning; and

WHEREAS, this Council, after considering the aforesaid application, the recommendation made to the Council by the Planning Commission, the City's Comprehensive Plan, and the matters presented at the public hearing, is of the opinion that the hereinafter described property should be rezoned as herein provided.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that:

1. Section 36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No.513 of the Sectional 1976 Zone Map, City of Roanoke, be amended in the following particular and no other:

That three tracts of land located at the intersection of Route 419 and Keagy Road, S.W., and designated on Sheet No. 513 of the Sectional 1976 Zone Map, City of Roanoke, as Official Tax Nos. 5130119, 5130121 and 5130122, be, and are hereby rezoned from RS-1, Residential Single Family District, to CN, Neighborhood Commercial District (1.117 acres) and RPUD, Residential Planned Unit Development District (2.948 acres), subject to the proffers contained in the Amended Petition filed in the Office of the City Clerk on November 12, 2001, and that Sheet No. 513 of the Zone Map be changed in this respect.

2. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

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Roanoke City Department of Planning A.2.
 Building and Development
 Room 166, Municipal Building
 215 Church Avenue, S.W.
 Roanoke, Virginia 24011
 (540) 853-1730 (Fax) 853-1200
 Email: planning@ci.roanoke.va.us

RECEIVED
 CITY CLERKS OFFICE

01 DEC 13 AM 8:42
 December 13, 2001

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of Council:

Subject: Request from the City Planning Commission to amend Section 36.1-25, Definitions, of the Zoning Code of the City of Roanoke (1979), as amended, to define a tow truck operation.

City Council has scheduled a public hearing for this matter on Monday, December 17, 2001. As you may be aware, the Planning Commission sponsored this zoning amendment. On November 15, 2001, the Commission voted to approve the proposed amendment and forwarded a favorable recommendation to you. Since the Planning Commission meeting, however, additional public comment has been received. On December 12, 2001, staff met with two local towing contractors to discuss the proposed amendment and the intent of the amendment. It was recommended that the City's Towing Advisory Board be informed of the proposed amendment and provided similar information. (This Board was appointed by City Council in June 2000, to advise the City Council with regard to the appropriate provisions of the City's ordinances, contracts, and agreements related to towing services.)

In an effort to strengthen communication, minimize any conflict, and allow staff to coordinate the proposed amendment further with the Towing Advisory Board, I respectfully request that the proposed amendment defining a tow truck operation be referred back to the Planning Commission for further consideration.

Respectfully submitted,

D Kent Chrisman

D. Kent Chrisman, Chairman
 City Planning Commission

cc: Darlene Burcham, City Manager
 Rolanda Johnson, Assistant City Manager
 William Hackworth, City Attorney
 Mary Parker, City Clerk

Roanoke City Planning Commission Architectural Review Board Board of Zoning Appeals

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12/13/2001 13:18 5408531238
12/13/2001 THU 10:21 FAX 5400825440

PLANNING
WOODS SERVICE CENTER INC

PAGE 1 A.2.

ROANOKE CITY ZONING DEPARTMENT
215 CHURCH AVE.
ROANOKE, VA. 24011

ATTENTION- EVELYN DORSEY AND EVELYN LANDER

THANK YOU FOR ALLOWING TOMMY WOOD AND MIKE CONNERS TO MEET WITH YOU CONCERNING THE REQUEST FROM THE CITY PLANNING COMMISSION TO AMEND SECTION 36.1-25. MANY TOWING COMPANIES IN ROANOKE CITY ARE VERY CONCERNED ABOUT THIS AMENDMENT AND FEEL IT WILL EFFECT OUR TOWING, STORAGE AND REMOVAL OF VEHICLES FROM THE CITY STREETS AND PROPERTY. I WOULD LIKE TO ASK THAT THE ROANOKE CITY COUNCIL "TABLE" THIS MATTER UNTIL YOU CAN MEET WITH THE TOWING ADVISORY BOARD. THE PROPOSED AMENDMENT DOES NOT CLARIFY MANY OF THE SITUATIONS THAT THE TOWING COMPANIES WILL BE FACING WITH VEHICLE STORAGE. THE TOWING COMPANIES HAD NOT BEEN NOTIFIED OF THIS AMENDMENT AND FEEL WE NEED MORE TIME TO WORK OUT THE RED TAPE.

WE WOULD ALSO ASK THAT THE CITY DELAY SENDING OUT THE CONTRACT FOR ABANDONED VEHICLE REMOVAL SO WE CAN MAKE IT MORE ATTRACTIVE FOR COMPANIES TO BID. THE WAY THE CONTRACT IS WRITTEN NOW, I DON'T BELIEVE YOU WOULD HAVE ANY COMPANIES INTERESTED IN PROVIDING THIS SERVICE.

PLEASE CALL US IF YOU HAVE ANY QUESTIONS
THANKS AGAIN

TOMMY WOOD 540-982-3663
WOOD'S TOWING AND RECOVERY



A.3.

Office of the City Manager

December 17, 2001

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Jr., Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Conveyance of City Property to Paul Honaker

The City acquired a lot located on Vermont Avenue, NW, Tax Map Number 2760603, to construct a drainage ditch to protect adjacent properties from stormwater runoff. A drawing of the lot is provided in Attachment #1 and a photo showing the installed ditch is provided in Attachment #2. One of the adjacent property owners, Mr. Paul L. Honaker, has agreed to accept the lot with the drainage ditch, relieving the City of the responsibility of maintaining it and returning it to the tax base. The other adjacent property owner, Ms. Vera A. Stuart, has signed a letter that indicates that she is not interested in owning the lot, or a portion of it (letter is attachment #3). The lot is of no benefit to the City and may be declared surplus and conveyed to Mr. Honaker for no consideration, retaining appropriate easements or rights-of-way to maintain the drainage ditch.

Recommended Actions:

Following a public hearing on the disposition of surplus property, authorize the City Manager to execute the appropriate documents to convey the property to Mr. Paul L. Honaker, such documents to be approved as to form by the City Attorney.

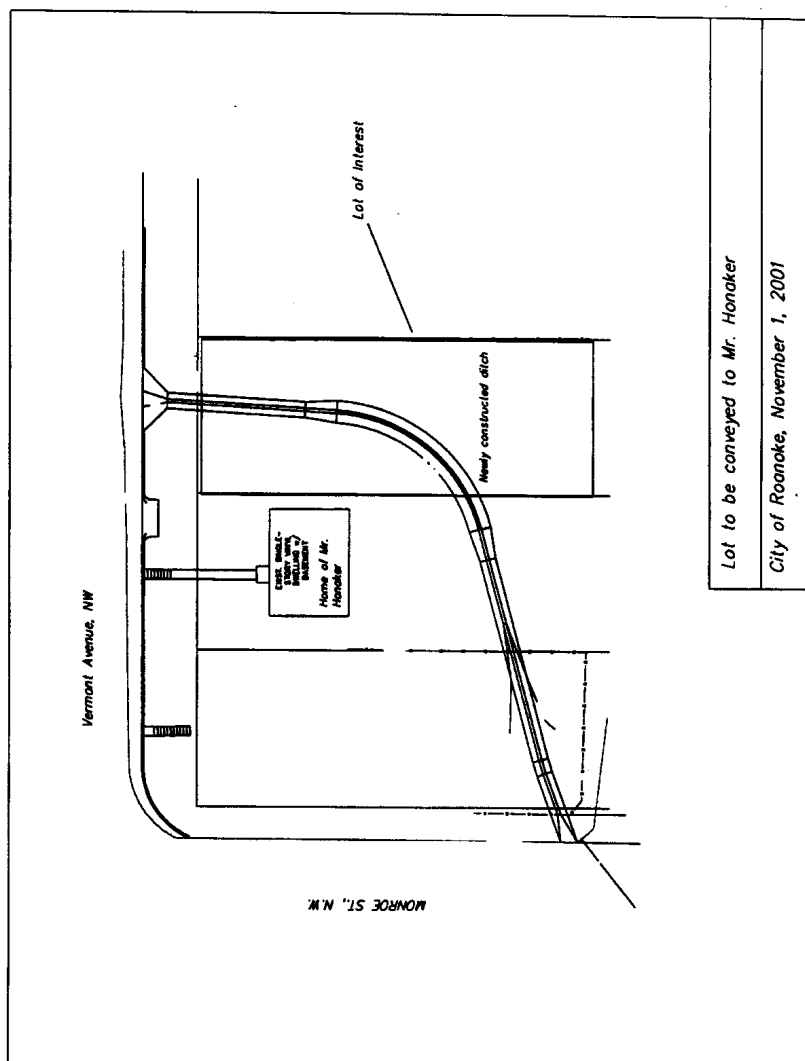
Respectfully submitted,


 Darlene L. Burcham
 City Manager

DLB/MPC/nra
 Attachment

c: Mary F. Parker, City Clerk
 William M. Hackworth, City Attorney
 James D. Grisso, Director of Finance

#CM01-00262



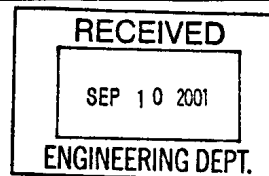


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Office of the City Engineer

September 4, 2001



Ms. Vera A. Stuart
4030 Vermont Avenue, N.W.
Roanoke, Virginia 24017

Dear Ms. Stuart:

As you are aware, the City of Roanoke is installing a concrete drainage swale in the vacant lot adjacent to your property and a curb in front of your house in order to help reduce the damage from stormwater runoff to your property and that of your neighbor's, Mr. Paul Honaker.

The City of Roanoke currently owns the vacant lot adjacent to your property and we are considering deeding it to Mr. Honaker to save the City the expense of maintaining the lot. We want to be certain, however, that you are not interested in owning the half of the lot that is closest to your property line. Our inspector, Mr. B.C. White, told me that he spoke with you a few weeks ago and that you told him that you are not interested in having additional property, as it would mean extra maintenance work for you.

If you approve of us deeding the lot to Mr. Honaker, your neighbor, please sign this letter and return it to me in the enclosed self-addressed stamped envelope. If you would like me to meet with you to discuss this further, please contact me at 853-1101 and I will be happy to come and talk with you.

Thank you for your cooperation. We believe this project will improve the appearance of the street in front of your house. Please feel free to contact me if you have any questions.

Sincerely,

Maureen Castern, P.E.
Project Manager

MPC/bls

Enclosure

I, Vera A. Stuart, am not interested in acquiring a portion of the vacant lot adjacent to my home at 4030 Vermont Avenue, N.W., and have no objection to the City of Roanoke deeding it entirely to my neighbor, Mr. Honaker.

Signed: Date: 9/6/01

Vera A. Stuart

215 Church Avenue, S.W. Room 350 Roanoke, Virginia 24011 (540) 853-2731 FAX (540) 853-1364

DK

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE authorizing the City Manager to execute a deed providing for the conveyance of City-owned property located at 4037 Vermont Avenue, N.W., and identified as Official Tax No. 2760603, upon certain terms and conditions, and dispensing with the second reading of this ordinance.

WHEREAS, a public hearing was held on December 17, 2001, pursuant to §§15.2-1800(B) and 15.2-1813, Code of Virginia (1950), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on the proposed conveyance.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that:

1. The City Manager is authorized to execute, on behalf of the City of Roanoke, in form approved by the City Attorney, the necessary documents conveying property commonly known as 4037 Vermont Avenue, N.W., and identified as Official Tax No. 2760603, to Paul L. Honaker, in accordance with the terms stated in the City Manager's letter to this Council dated December 17, 2001.

2. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

H:\ORDINANCES\O-Donation Honaker-Vermont Ave.wpd

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A.4.

Office of the City Manager

December 17, 2001

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Jr., Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Carilion Medical Center's use of
 Victory Stadium parking lot

Background:

Carilion Medical Center, an affiliate of Carilion Health System, plans to construct a new addition to the Medical Center as well as construct a new 1,000 occupancy parking facility. This construction will create a temporary shortage of parking spaces for staff, physicians, residents, patients and visitors at the Medical Center.

Construction projects are scheduled to begin in January 2002. Carilion has requested to lease parking at Victory Stadium for employees who will be displaced by the construction projects. A minimum of 200 and a maximum of 300 parking spaces are requested for an initial period of up to two years, subject thereafter to a monthly renewal by mutual agreement of the parties.

Considerations:

The City has unused parking space available at Victory Stadium, which is located on property adjacent to the footbridge connecting Wiley Drive to the grounds of Victory Stadium.

A Lease Agreement, similar to form to Attachment 1, will be drawn up to be effective January 1, 2002. It will contain the conditions described in the paragraph below.

The Honorable Mayor and Members of Council
 December 17, 2001
 Page 2

The Agreement will specify that Carilion Medical Center has exclusive right to the use of the Leased Property on business days (Monday-Friday) and during business hours (6:00am-5:00pm) for a term of up to two years. The lease may be extended on a month-to-month basis upon mutual agreement between the City and Carilion Medical Center. The Medical Center shall pay to the City \$8.00 per month per space or a minimum of sixteen hundred dollars (\$1,600.00) per month for 200 parking spaces. If additional spaces are required, the monthly rental rate will be increased proportionately. A minimum of \$38,400.00 in estimated revenue collected from the Lease Agreement will be deposited in Parks and Recreation Recovered Cost Account 001-620-7110-8076 to be utilized for improvements to Parks and Recreation programs. The Medical Center will be responsible for maintenance of the leased property including improvements to the lot. The Medical Center will also provide security for the leased property and carry the appropriate amount of insurance during the lease period.

Recommended Action:

Following the public hearing, authorize the City Manager to execute an Agreement in substantially the same form as herein attached, and approved as to form by the City Attorney between the City and Carilion Medical Center for a period of two years with monthly renewal options thereafter, and to take such further action as reasonably necessary to implement and administer such Agreement.

Respectfully submitted,



Darlene L. Burcham
 City Manager

DLB:kj
 Attachment

c: Mary F. Parker, City Clerk
 William M. Hackworth, City Attorney
 James D. Grisso, Director of Finance
 James Evans, Director of Civic Facilities
 Glenn Asher, Officer of Risk Management
 Wanda B. Reed, Acting Director of Parks and Recreation
 Deborah J. Moses, Parking Coordinator of Economic Development

#CM01-00283

LEASE AGREEMENT

This **LEASE AGREEMENT** is entered into this ____ day of _____, 2001, by and between the **CITY OF ROANOKE, VIRGINIA** a municipal corporation organized under the laws of the Commonwealth of Virginia ("the City" or "the Lessor") and **CARILION MEDICAL CENTER**, a Virginia corporation ("the Medical Center"),

WHEREAS, construction of a new addition to the Medical Center as well as construction of a new 1,000 occupancy parking facility has created a temporary shortage of parking spaces for staff, physicians, residents, patients and visitors at the Medical Center; and

WHEREAS, the City has parking space available at Victory Stadium, which is located on property adjacent to the Medical Center; and

WHEREAS, it is the intention of both parties for the City to lease the available parking spaces at Victory Stadium to the Medical Center.

NOW FOR AND IN CONSIDERATION of the mutual entry into this lease by the parties hereto and for the consideration set out herein, the City and the Medical Center agree as follows:

1. Lease. The City hereby leases to the Medical Center and the Medical Center hereby leases from the City, a minimum of 200 parking spaces and a maximum of 300 parking spaces in the Victory Stadium parking lot adjacent to the footbridge connecting Wiley Drive to the grounds of Victory Stadium ("the Leased Property"), as more particularly identified in Exhibit A attached hereto and incorporated by reference herein. Medical Center acknowledges and agrees that the Leased Property is leased "as is" and that City shall have no responsibility or liability for maintenance of the Leased Property, including, without limitation, snow removal, gravel replacement, or drainage of surface water, provided, however, that City shall be responsible for maintenance of the Leased Property for any period that it preempts the use of the Leased Property pursuant to Paragraph 3 and

for any maintenance or cleaning required as a result or consequence of such preemption.

2. Term. This Lease shall be for a term of two (2) years commencing at 12:01 a.m. on _____, _____ and terminating at 11:59 p.m. _____.

At the termination of the initial two (2) year period, this Lease may be extended on a month-to-month basis by mutual agreement of both parties subject to the same terms as the initial period.

3. Use of Leased Property. The Premises are leased to be used and occupied by Medical Center, its agents and employees, for use as a parking lot, and for such other purposes and uses the parties may otherwise mutually agree in writing. Lessee shall not use the Premises for any unlawful or offensive business purpose or so as to constitute a nuisance.

The Medical Center shall have the exclusive right to use the Leased Property each day from Monday to Friday between the hours of 6:00am and 5:00pm and the Medical Center shall have the right to use the Leased Property at other times, provided, however, that all uses of the Leased Property by the Medical Center shall be subject to the right of the City to preempt such use when special events are scheduled in Victory Stadium by giving the Medical Center 72 hours written notice of such preemption. In the event City preempts Medical Center's exclusive or other use of the Leased Property, all costs and expenses of required alternative parking arrangements shall be borne by the Medical Center.

4. Rent. The Medical Center shall pay to the City EIGHT DOLLARS (\$8.00) per parking space per month as rent for the Leased Property. The rent shall be due in advance and payable on the first day of each month during the term of this Lease Agreement. Medical Center shall notify City prior to the first of each month how many parking spaces it will need in that month. For each day in a month that the City preempts the Medical Center's use of the Leased Property pursuant to Paragraph 3 above, the rent that month will be reduced by \$40.00.

5. Medical Center's Responsibilities.

(a) The Medical Center shall arrange for its security officers to patrol the Leased Property as part of their regular duties during the hours when the Leased Property is being used for Medical Center parking; provided, however, that the Medical Center assumes no responsibility for patrolling or securing the Leased Property when it is being used by the City or others for special events, and further that the Medical Center assumes no responsibility for patrolling Victory Stadium, the Leased Property or any other property that is not being used or is not in use as a Medical Center parking area. Medical Center agrees that at no time does the City have any responsibility for securing or patrolling the Leased Property during those times that it is being used by the Medical Center pursuant to this Lease Agreement.

(b) The Medical Center shall keep the Leased Property mowed and clear of trash.

(c) The Medical Center shall reimburse the City for the cost of installing signs to identify the Leased Property.

(d) The Medical Center shall be responsible for any applicable leasehold taxes or other levies or charges on the Leased Property.

(e) The Medical Center shall not install any signage or fixtures on the Leased Property without the written consent of the City.

(f) The Medical Center agrees to comply with and be bound by all applicable rules and regulations pertaining to Victory Stadium and its parking area.

6. Insurance and Indemnification.

(a) The Medical Center shall name the City, its employees, agents, representatives and volunteers as additional insureds on said policy. The Medical Center shall provide the City's Risk Manager with a copy of the insurance certificate prior to commencement of this lease and at each

renewal and whenever said insurance is canceled or materially altered, and the Medical Center's insurer shall furnish the additional insured endorsements to the City within 30 days of commencement of the Lease Agreement.

(b) The Medical Center agrees to pay and to protect, indemnify and save harmless the City, its officers, agents, and employees from and against any and all liabilities, damages, costs, expenses, causes of action, suits, claims, demands, or judgments of any nature whatsoever, including, without limitation, reasonable attorney's fees, arising from injury to or death of persons or damages to property resulting from the Medical Center, its members, clients, employees and agents's leasing of or use in any way of the Leased Property. The Medical Center agrees that it will secure, maintain, pay for and keep in force, until the expiration of this lease, commercial general liability insurance written on an occurrence basis of no less than \$1,000,000 (one million dollars).

(c) The City shall have no liability of responsibility of any type to Medical Center or its employees, officers, or agents for any failure to provide parking spaces under this Lease Agreement that may be due to causes beyond Lessor's control, including, but not limited to, accidents, acts of God, weather, failure of equipment, strikes, lockouts, damage to the parking facility, or any orders or regulations of any federal, state, or local government body.

7. Signs. The City shall install, at the Medical Center's expense, appropriate signage to identify the Leased Property.

8. Termination.

(h) Either party may terminate this Lease Agreement without cause by giving the other party sixty (60) days written notice of termination during the initial term of the Lease Agreement and two weeks for any renewal term.

(b) If a party defaults in its obligations under this Lease Agreement, the other party may terminate the Lease Agreement if the defaulting party has failed to correct such default within 30 days after receiving written notice of the default.

9. Right of Entry. The City and its agents shall be entitled to enter upon the Leased Property at any reasonable time for any reasonable purpose.

10. Complete Understanding. This Lease Agreement represents the complete understanding between the parties hereto as to the subject matter hereof and supersedes all prior statements or agreements.

11. Notices. Any notice required by this Lease Agreement shall be delivered personally or by first class registered mail and shall be effective notice upon actual receipt. Any notice required by this Lease Agreement to be given to the Medical Center shall be delivered to:

Mr. Greg Sharp
Security Services
Carilion Health System
P. O. Box 13367
Roanoke, VA 24033

Any notice required by this Lease to be given to the City shall be delivered to:

Wanda B. Reed
Acting Director
Department of Parks and Recreation
City of Roanoke
210 Reserve Avenue, SW
Roanoke, VA 24016

12. Assignment. This Lease Agreement shall not be assigned or subleased by the Medical Center. The City may assign or sublease this Lease Agreement with the consent of the Medical Center, which consent shall not be unreasonably withheld.

13. Amendment. This Lease Agreement shall be amended only with the written agreement of both parties.

14. Non-discrimination. During the performance of this Agreement, the Lessee agrees as follows:

(a) The Lessee will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the Lessee. The Lessee agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

(b) The Lessee, in all solicitations or advertisements for employees placed by or on behalf of the Lessee, will state that such Lessee is an equal opportunity employer.

(c) Notices, advertisement and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

(d) The Lessee will include the provisions of the foregoing subsections 15(a), (b) and (c) in every contract or purchase order of over ten thousand dollars and no cents (\$10,000.00), so that the provisions will be binding upon each contractor or vendor.

IN WITNESS WHEREOF, each party hereto has executed this Lease by its duly authorized representatives, on the day and year first above written.

CARILION MEDICAL CENTER

Attest:

By _____
Shirley H. Carter
Corporate Secretary

By _____
Charles Law
Its Vice President

THE CITY OF ROANOKE

Attest:

By _____
Mary F. Parker
City Clerk

By _____
Darlene L. Burcham
City Manager

Approved as to Form:

Approved as to Execution:

Assistant City Attorney

Assistant City Attorney

Authorized by Ordinance No.

D2C

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A.4.

AN ORDINANCE authorizing the City Manager to execute a lease agreement between the City of Roanoke and Carilion Medical Center for the lease of parking spaces at Victory Stadium, and dispensing with the second reading of this ordinance.

WHEREAS, a public hearing was held on December 17, 2001, pursuant to §§15.2-1800(B) and 15.2-1813, Code of Virginia (1950), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on the proposed conveyance.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The City Manager and City Clerk are authorized to execute and attest, respectively, in form approved by the City Attorney, a lease agreement with Carilion Medical Center for the lease of a minimum of 200 and a maximum of 300 parking spaces at Victory Stadium per month, at a rate of \$8.00 per parking space, for a two year period beginning January 1, 2002, as more particularly set forth in the City Manager's letter to Council dated December 17, 2001.

2. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

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